

Deposition of Janet Boller (JB Dep)



Deposition of:
Janet Boller , PsyD

August 12, 2020

In the Matter of:

**John Doe Vs. Washington & Lee
University**

Veritext Legal Solutions
888.777.6690 | cs-midatlantic@veritext.com | 215-241-1000

Page 1

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
1 LYNCHBURG DIVISION
2 - - -
3

4 JOHN DOE, :
5 Plaintiff, :
6 : No. 6:19-CV-00023
7 vs. :
8 :
9 WASHINGTON AND LEE :
10 UNIVERSITY, :
11 :
12 Defendant. :
13 - - -
14

15 Wednesday, August 12, 2020
16 - - -
17

18 CONFIDENTIAL AND UNDER SEAL
19 - - -
20

21 Oral deposition of JANET BOLLER, PsyD,
22 taken remotely at the home of Janet Boller, 616
23 South Main Street, Lexington, Virginia,
24 commencing at 9:00 a.m., and stenographically
recorded by Theresa F. Franco, a Court Reporter
and Notary Public.
25 - - -
26

27 VERITEXT LEGAL SOLUTIONS
28 MID-ATLANTIC REGION
29 1801 Market Street - Suite 1800
30 Philadelphia, Pennsylvania 19103

| | | |
|---|--------|--|
| | Page 2 | Page 4 |
| 1 APPEARANCES: (Remotely via teleconference) | | 1 EXHIBITS CONTINUED |
| 2 CONRAD O'BRIEN | | 2 - - - |
| 3 By: ANDREW GALLINARO, ESQUIRE | | 3 NUMBER DESCRIPTION PAGE |
| 4 PATRICIA HAMILL, ESQUIRE | | 4 Exhibit-7 Document titled, Sexual 70 |
| 5 1500 Market Street, Centre Square | | Assault Prevention at W&L, |
| 6 West Tower, Suite 3900 | | 5 Board of Trustees, October |
| 7 Philadelphia, Pennsylvania 19102 | | 7th, 2016 |
| 8 215-864-9600 | | 6 Exhibit-8 Sexual Assault Patterns and 73 |
| 9 agallinaro@conradobrien.com | | 7 Responses, Presentation to |
| 10 phamill@conradobrien.com | | 8 HSMB, September 2016, |
| 11 Representing the Plaintiff, John Doe | | 9 Janet Boller, PsyD |
| 12 MCCUIRE WOODS, LLP | | 10 Exhibit-9 Email exchange between 120 |
| 13 By: R. CRAIG WOOD, ESQUIRE | | Dr. Boller and [REDACTED] |
| 14 MICAH SCHWARTZ, ESQUIRE | | 11 on April 7th, 2017 |
| 15 652 Jefferson Parkway, Suite 530 | | 12 Exhibit-10 Letter Dr. Boller prepared 113 |
| 16 P.O. Box 1288 | | for [REDACTED] |
| 17 Charlottesville, Virginia 22902 | | 13 Exhibit-11 The DSM5 137 |
| 18 434-977-2558 | | 14 Exhibit-13 Summary of Dr. Boller's 183 |
| 19 cwood@mccuirewoods.com | | 15 interview with Ms. Kozak |
| 20 mschwartz@mccuirewoods.com | | and Mr. Rodocker on |
| 21 Representing the Defendant, Washington and | | 16 April 17, 2017 |
| 22 Lee University | | 17 Exhibit-14 Interview summary of 205 |
| 23 | | Dr. Boller by Mr. Rodocker |
| 24 | | 18 and Ms. Kozak, 11/7/2014 |
| | | 19 - - - |
| | | 20 REQUEST FOR DOCUMENTS |
| | PAGE | PAGE |
| | 21 114 | 21 19 |
| | | 22 |
| | | 23 |
| | | 24 |
| | Page 3 | Page 5 |
| 1 I N D E X | | 1 - - - |
| 2 - - - | | 2 THE COURT REPORTER: The attorneys |
| 3 Witness: JANET BOLLER, PSYD | PAGE | 3 participating in this deposition |
| 4 By Mr. Gallinaro | 6 | 4 acknowledge that I am not physically |
| 5 - - - | | 5 present in the deposition room and that I |
| 6 E X H I B I T S | | 6 will be reporting this deposition |
| 7 - - - | | 7 remotely. They further acknowledge that, |
| 8 NUMBER DESCRIPTION PAGE | | 8 in lieu of an oath administered in person, |
| 9 Exhibit-1 Written Discovery response | 28 | 9 I will administer the oath remotely. The |
| 10 to a request for what | | 10 parties and their counsel consent to this |
| 11 trainings are provided at | | 11 arrangement and waive any objections to |
| 12 the university | | 12 this manner of reporting. |
| 13 Exhibit-2 Document titled, Sexual | 38 | 13 Please indicate your agreement by |
| 14 Misconduct at W&L, Awareness, | | 14 stating your name and your agreement on |
| 15 Resources and Response, | | 15 the record. |
| 16 Speak and One In Four, | | 16 MR. GALLINARO: Andrew Gallinaro on |
| 17 fall 2011 | | 17 behalf of Plaintiff, and I agree. |
| 18 Exhibit-3 Speech from Take Back the | 39 | 18 MR. WOOD: Craig Wood on behalf of |
| 19 Night | | 19 the defendant, and we agree. |
| 20 Exhibit-4 Speech from Take Back The | 41 | 20 - - - |
| 21 Night event, 2017/2018 year | | 21 JANET BOLLER, PSYD, having been |
| 22 Exhibit-5 Speak Training sign-in | 47 | 22 first remotely duly sworn pursuant to |
| 23 sheet, dated 11/15/2015 | | 23 agreement of counsel, was examined and |
| 24 Exhibit-6 Document titled, Sexual | 54 | 24 testified as follows: |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | Page 6 | Page 8 |
|----|---|--------|
| 1 | --- | |
| 2 | EXAMINATION | |
| 3 | --- | |
| 4 | BY MR. GALLINARO: | |
| 5 | Q. Good morning, Dr. Boller. How are | |
| 6 | you? | |
| 7 | A. Good morning. How are you? | |
| 8 | Q. Good, thank you. I want to start | |
| 9 | by just saying thank you for participating | |
| 10 | virtually here today. I know these are unusual | |
| 11 | times, and we're all doing the best we can, and | |
| 12 | I appreciate you making yourself available. | |
| 13 | A. Sure. | |
| 14 | Q. You should have received a package. | |
| 15 | A. I did. | |
| 16 | Q. If you could open that so that you | |
| 17 | have the binder of things in there. | |
| 18 | A. This is sealed in a few places. | |
| 19 | Q. Top secret stuff here. | |
| 20 | A. Understandable. Yes. Okay. So | |
| 21 | there's a binder, yes. | |
| 22 | Q. Okay. If you just keep that handy. | |
| 23 | I'll be referring to it from time to time. | |
| 24 | A. Okay. Great. | |
| | Page 7 | Page 9 |
| 1 | Q. So just sort of by way of | |
| 2 | introduction, my name is Andrew Gallinaro. I | |
| 3 | represent the plaintiff in this case. In this | |
| 4 | litigation he goes by the name John Doe, but I | |
| 5 | think you understand his name is [REDACTED] | |
| 6 | correct? | |
| 7 | A. Correct. | |
| 8 | Q. And you understand that you're here | |
| 9 | today to provide deposition testimony in that | |
| 10 | litigation? | |
| 11 | A. Correct. | |
| 12 | Q. Just sort of some ground rules for | |
| 13 | the proceeding today. This is a question and | |
| 14 | answer session. We have a court reporter here | |
| 15 | taking down everything that we say. As you | |
| 16 | just heard, the testimony is under oath just as | |
| 17 | if we were in court. Because she's trying to | |
| 18 | write down everything that we both say, it's | |
| 19 | important that we don't talk over each other | |
| 20 | because they can't type two things at the same | |
| 21 | time. So I'll do my best to let you finish | |
| 22 | your responses before I ask my next question, | |
| 23 | and I'd ask you to wait for me to finish my | |
| 24 | question before you start your response. | |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|---|--|
| Page 10 | Page 12 |
| <p>1 for, again, I don't know that this is a 2 technical legal term, but essentially a breach 3 of contract situation. That was about like 20 4 years ago.</p> <p>5 Q. Okay. The two cases involving 6 Washington and Lee, were those -- were those 7 cases involving claims of sexual assault?</p> <p>8 A. One of them was. One of them was 9 not.</p> <p>10 Q. What was the topic of the other 11 one, just generally?</p> <p>12 A. A student who had a suicide 13 attempt.</p> <p>14 Q. And as best you can recall, when 15 was the -- when did you provide the deposition 16 testimony in the sexual assault-related matter?</p> <p>17 A. I don't remember the year. I would 18 say it was something like 2015 or 2016, so five 19 years ago or so.</p> <p>20 Q. And then the suicide case?</p> <p>21 A. That was earlier this year.</p> <p>22 Q. And then you referred to another 23 case involving a Washington and Lee student but 24 not in which the school was a party?</p> | <p>1 Q. Okay. I just want to ask some, 2 sort of, background questions.</p> <p>3 A. Okay.</p> <p>4 Q. Are you -- are you the author of 5 any books or manuals?</p> <p>6 A. No.</p> <p>7 Q. Have you authored any articles that 8 have been published in any scientific journals?</p> <p>9 A. Not as a lead author. It's 10 possible that I am a secondary author on 11 articles from many years ago, with researchers 12 that I worked with back --</p> <p>13 Q. Can you tell me, just generally, 14 what the nature of those articles were?</p> <p>15 A. Yes. What those would have been 16 would have been related to either my mentor's 17 research in graduate school, which was related 18 to a scale that was used to measure people's 19 affect and cognitive processes in a general way 20 sort of detecting psychopathology, and then 21 possibly also related to a Principal 22 Investigator's research at the Medical College 23 of Wisconsin, who did AIDS intervention 24 research where we were interviewing couples and</p> |
| Page 11 | Page 13 |
| <p>1 A. Correct.</p> <p>2 Q. Am I understanding you correct that 3 he or she brought a claim against some third 4 party in which they needed your testimony to 5 support some aspect of their claim?</p> <p>6 A. That's right.</p> <p>7 Q. Okay. Okay. What have you done to 8 prepare for your deposition today?</p> <p>9 A. I met with counsel who are present 10 today on one occasion.</p> <p>11 Q. Okay. About how long was that 12 meeting?</p> <p>13 A. An hour and a half.</p> <p>14 Q. Anything else?</p> <p>15 A. And I spoke to Mr. Wood for about 16 ten minutes this morning.</p> <p>17 Q. Did you, like, look through any of 18 the files or review any documents aside --</p> <p>19 A. I -- aside from what?</p> <p>20 Q. -- aside -- setting aside the 21 meeting with the attorneys, have you done any 22 independent review of your files or documents?</p> <p>23 A. Only what they showed to me during 24 the prep meeting.</p> | <p>1 asking about safe sex practices.</p> <p>2 Q. And other than those two articles, 3 are there any other articles that you can 4 recall either participating in the drafting of 5 or in the research of?</p> <p>6 A. Not that I recall.</p> <p>7 Q. Same question, and it may be the 8 same answer, but any academic journals, 9 articles?</p> <p>10 A. Those -- those projects may have 11 been in academic journals. It's just been long 12 ago, and I don't remember.</p> <p>13 Q. Okay. I know that you have given a 14 number of presentations inside the Washington 15 and Lee community. I want to put those aside 16 for the moment --</p> <p>17 A. Okay.</p> <p>18 Q. -- and ask you if you've ever given 19 any public presentations or speeches on Title 20 IX related matters outside Washington and Lee?</p> <p>21 A. No.</p> <p>22 Q. So, no, you haven't attended 23 conferences or seminars of any organizations in 24 which you've presented material?</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | | | |
|---|---------|---|---------|
| 1 A. Not where I've presented. 2 Q. And I'm sorry, I didn't ask this, 3 but going back to the articles, just to be 4 clear, the two articles you described didn't 5 have anything to do with sexual assault; did 6 they? 7 A. Correct. No, they did not. 8 Q. Now with regard to conferences and 9 seminars, how about ones that you just attended 10 for your own education? Have you attended 11 conferences or seminars that are relevant to 12 the Title IX issues of sexual assault on 13 college campuses? 14 A. Yes. 15 Q. Can you tell me what conferences 16 you've attended? 17 A. I will do my best. 18 Q. Sure. 19 A. Which is going to be pretty vague 20 because I don't remember dates or probably even 21 titles, but I have attended -- I'm not even 22 sure I could give you a number without looking 23 back at my continuing education file. But I've 24 attended several, three, maybe four, related to | Page 14 | 1 A. I've heard of it. 2 Q. Do you receive any emails or 3 written materials from them as part of the 4 Listserv? 5 A. I think -- sorry. 6 Q. I'm sorry. I started to cut you 7 off. I just clarified as part of the Listserv. 8 A. Not currently. 9 Q. Have you in the past? 10 A. Possibly, so. 11 Q. The conferences that you attended, 12 did you attend those with other members of 13 Washington and Lee? 14 A. At times I did. At times I was 15 alone. 16 Q. Okay. For the one that you could 17 recall was the Department of Criminal Justice 18 for the State of Virginia, was that one that 19 you attended with other members of W and L? 20 A. I believe so. 21 Q. Who attended that, as best you can 22 recall? 23 A. I believe Jan Kauffman may have 24 attended that conference with me. | Page 16 |
| 1 trauma or, you know, sexual assault or that 2 field. 3 Q. Do you remember the names of any of 4 the organizations that put on those programs? 5 A. One was the -- I might get it, not 6 exactly, the title right, but like, the 7 Department of Criminal Justice Services for the 8 Commonwealth of Virginia. 9 Q. Okay. Any others that you can 10 recall? 11 A. I'm trying to think. I just don't 12 think I'm going to remember the actual -- the 13 names of the, you know, the actual conference 14 or the group that sponsored it off the top of 15 my head. 16 Q. Okay. Are you familiar with an 17 organization called ATIXA? 18 A. Yes. 19 Q. I know that they provide a number 20 of trainings in that space. Have you ever 21 attended one of theirs? 22 A. I'm not sure. 23 Q. Are you familiar with that 24 organization? | Page 15 | 1 Q. Okay. Who's that? 2 A. She is the Director of Health 3 Promotion at Washington and Lee. 4 Q. Okay. Anybody else that you can 5 recall, either that conference or any other 6 conference? 7 A. Any other conference? 8 Q. Yeah. 9 A. I attended a workshop or conference 10 with Rallie Snowden, and she is -- 11 Q. Is that someone's name, I 12 apologize? 13 A. Yes. Rallie, R-A-L-L-I-E, for the 14 reporter, Snowden. 15 Q. Okay. And who's that? 16 A. She is a Licensed Clinical Social 17 Worker in the Counseling Center at Washington 18 and Lee. 19 Q. Have you ever attended any 20 conferences with Lauren Kozak? 21 A. Possibly one, but I don't remember 22 for certain. 23 Q. Okay. Could you -- could you give 24 me a, sort of a -- I don't need excruciating | Page 17 |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|--|--|
| Page 18 | Page 20 |
| <p>1 detail, but just a synopsis of your educational 2 history starting with college?</p> <p>3 A. I attended Bennington College for 4 undergrad and majored in Childhood Development 5 and Politics. And I attended Seton Hall 6 University for graduate school. I received a 7 Masters in Education, as well as a PsyD, a 8 P-S-Y-D, a doctoral degree in Clinical 9 Psychology.</p> <p>10 Q. Any other -- I'm sorry, I heard an 11 echo.</p> <p>12 Any other formal education at any 13 academic institution other than those two?</p> <p>14 A. Nope.</p> <p>15 Q. Okay. Do you hold any licenses or 16 certifications?</p> <p>17 A. I'm a Licensed Clinical 18 Psychologist.</p> <p>19 Q. And who is that through?</p> <p>20 A. The Commonwealth of Virginia.</p> <p>21 Q. Okay. Would you -- would you give 22 me your employment history since finishing grad 23 school?</p> <p>24 A. I will do my best.</p> | <p>1 so I guess that would have been about 2003 2 to 2004.</p> <p>3 Q. And what was the nature of the work 4 that you did there?</p> <p>5 A. That was a clinic offering 6 intensive psychotherapy in an intensive 7 outpatient program for adolescents and adults. 8 I focused more on the adolescent program where 9 we did groups and individual therapy and the 10 treatment protocol that I primarily used was 11 something called Dialectical Behavior Therapy 12 or DBT, which is designed to treat people who 13 present with self-injurious behavior, suicidal 14 attempts or behavior with that kind of specific 15 treatment protocol.</p> <p>16 Q. And after the Two Brattle Center?</p> <p>17 A. I worked at the Judge Baker 18 Children's Center, part of their Manville 19 School, which was also in Boston, and I 20 worked --</p> <p>21 Q. What was the nature --</p> <p>22 A. I'm sorry?</p> <p>23 Q. What was the nature of that work?</p> <p>24 A. I was a, you know, served as one</p> |
| Page 19 | Page 21 |
| <p>1 Q. Yep.</p> <p>2 A. I worked for the Medical College of 3 Wisconsin at their Center for Aids Intervention 4 Research in Milwaukee, Wisconsin, as I was 5 finishing grad school and upon finishing. I 6 worked there for about two years, I believe. I 7 then --</p> <p>8 Q. I'm sorry to interrupt you --</p> <p>9 A. Yeah, sorry.</p> <p>10 Q. If you can recall the years as 11 you're telling me these different positions, it 12 would be helpful, but I understand it's not 13 always the easiest thing to remember, but just 14 the best you can.</p> <p>15 A. Okay. Early 2000s, like maybe 2001 16 to 2003.</p> <p>17 Q. Okay.</p> <p>18 A. I then -- shall I continue?</p> <p>19 Q. Yes, please.</p> <p>20 A. Then I moved to Boston, 21 Massachusetts, and I worked at a small private 22 clinic called Two, as in the number, Brattle 23 Center, which was a clinic where I did my post 24 doctoral fellowship. And that was for a year,</p> | <p>1 of, I can't remember how many, you know ten to 2 12 members of the counseling team. All of the 3 children -- it was a therapeutic school for 4 children with behavioral and emotional 5 disabilities. And all of the kids in the 6 program had a therapist, so I was one of the 7 therapists providing clinical services to the 8 students.</p> <p>9 Q. Okay. And after that position, 10 what came next?</p> <p>11 A. Then we moved to Lexington, 12 Virginia, and I had a private practice in 13 Lexington for two to three years.</p> <p>14 Q. And roughly what year was that?</p> <p>15 A. 2007 to about 2010.</p> <p>16 Q. Okay. And was there any particular 17 focus or specialty of your private practice?</p> <p>18 A. It was fairly general, although I 19 was one of the local people who did see 20 children and adolescents, but I wouldn't say it 21 was my specialty.</p> <p>22 Q. Okay. And then from there, did you 23 join W and L?</p> <p>24 A. Yes.</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|--|--|
| <p style="text-align: right;">Page 22</p> <p>1 Q. Okay. And what has your -- have 2 you always been in the same position or have 3 you had different roles within the university 4 since being employed?</p> <p>5 A. I've held the same position.</p> <p>6 Q. And that's as a clinical 7 psychologist in the Student Health Counseling 8 Center?</p> <p>9 A. In the University Counseling 10 Center, correct.</p> <p>11 Q. Okay. Okay. And that's been 12 since, roughly, 2010?</p> <p>13 A. Yes.</p> <p>14 Q. Thank you for that.</p> <p>15 A. Sure.</p> <p>16 Q. Had any of the prior positions up 17 until the time you were employed by W&L, had 18 any of them had any particular focus in the 19 areas of trauma or sexual assault?</p> <p>20 A. Not a particular focus, no.</p> <p>21 Q. Are you -- are you associated with 22 any nonprofits or charities?</p> <p>23 A. I suppose. What do you mean by 24 associated with?</p> | <p style="text-align: right;">Page 24</p> <p>1 A. Again, I've attended conferences 2 that have been hosted by some of those 3 organizations, and I have donated money to 4 Project Horizon, which is a local 5 shelter/hotline service.</p> <p>6 Q. When you said you attended 7 conferences hosted by those organizations, do 8 you recall what they were?</p> <p>9 A. No. I'm referring back to what we 10 were talking about before where I'm just not 11 recalling specifically, but I think some of 12 them could have been hosted by organizations 13 that, sort of, support that issue in general.</p> <p>14 Q. Okay. Other than attending those 15 trainings or conferences or seminars, however 16 we're referring to them, but those 17 organizations that deal with Title IX issues, 18 is there any other way in which you stay up to 19 date or educate yourself on issues related to 20 sexual assault in a campus setting?</p> <p>21 A. Reading, reading articles, reading 22 books.</p> <p>23 Q. Can you tell me what articles and 24 books you've read, as best you can recall?</p> |
| <p style="text-align: right;">Page 23</p> <p>1 Q. I guess I'll start with, do you 2 have any -- are you in any leadership position 3 of any charity or nonprofit organization?</p> <p>4 A. Not currently. I guess I'm 5 technically on the board of our local soccer 6 club.</p> <p>7 Q. Okay.</p> <p>8 A. But we only meet once a year.</p> <p>9 Q. And hopefully they have nothing to 10 do with trauma or sexual assault.</p> <p>11 A. They do not.</p> <p>12 Q. Have you ever -- have you been in a 13 leadership role of any nonprofit or charitable 14 organizations in the past that dealt with those 15 issues?</p> <p>16 A. Not that dealt with those issues, 17 no.</p> <p>18 Q. Are you a member of any nonprofit 19 or charitable organizations that deal with 20 those issues?</p> <p>21 A. Not a member, no.</p> <p>22 Q. Do you have any association at all 23 with any organizations that deal with those 24 issues?</p> | <p style="text-align: right;">Page 25</p> <p>1 A. Probably not. You know, Bessel van 2 der Kolk's The Body Keeps The Score, is a 3 really, sort of, well-known text related to 4 trauma. I've read that. I've read something 5 called Trauma Stewardship. What's the other 6 man's name? I don't remember that author. 7 There's someone named Peter Levine who writes 8 about trauma, whose work I've read. And then 9 articles, there's just no way I can remember.</p> <p>10 Q. Okay. Do you feel that through 11 that activity that you're keeping yourself up 12 to date on, sort of, the general state of 13 knowledge in that sphere in the scientific 14 community?</p> <p>15 A. I believe so.</p> <p>16 Q. I'd like to turn now to the 17 training that you provide.</p> <p>18 A. Okay.</p> <p>19 Q. We had -- well, let me start with, 20 how did you -- I understand from reviewing 21 documents and certain Discovery responses in 22 this case, that you've provided a number of 23 trainings to a number of different groups on 24 campus.</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|---|---|
| <p>1 How did you first become involved 2 in providing training to the W&L community? 3 A. I'm not sure that I recall just 4 other than when I was hired it was part of the 5 job as I understood it, as it was explained to 6 me, that I provide presentations on, you know, 7 as a member of the counseling team, on various 8 topics. And I've done that really since the 9 beginning.</p> <p>10 Q. Okay. So do other members of that 11 counseling center do similar trainings that you 12 do?</p> <p>13 A. When you say similar, what do you 14 mean?</p> <p>15 Q. Well, let's just start more 16 general. Are other members of that office 17 expected to perform training of any kind within 18 the W&L community?</p> <p>19 A. Yes.</p> <p>20 Q. And yours seem to have a particular 21 focus on sexual assault; would you agree with 22 that?</p> <p>23 A. Probably more of the trainings I do 24 are related to that topic, yes.</p> | <p>Page 26</p> <p>1 this particular topic, which is sexual assault? 2 A. Correct. 3 Q. There is, if you open your binder 4 to tab one. 5 A. Okay. 6 - - - 7 (Whereupon the document was marked, 8 for identification purposes, as 9 Exhibit-1.) 10 - - - 11 BY MR. GALLINARO: 12 Q. I want to just see if we can, sort 13 of, have a common understanding of how many 14 trainings you've provided and what the topics 15 were. The university, in tab one, had 16 responded to written Discovery requests that we 17 had asked for that asked for, you know, what 18 are all the trainings that are provided at the 19 university. So a number of them are in this 20 tab one that refer to you. And I just want to 21 tick through them with you and see if you think 22 it's a complete list or there's more that we 23 need to talk about. 24 A. Okay.</p> |
| <p>1 Q. Are there any other members of the 2 office that provide that kind of training on 3 that topic?</p> <p>4 A. Some of them have probably helped 5 with some of those efforts, but none of them 6 probably provide it to the extent that I do.</p> <p>7 Q. Okay. And who in the office has 8 helped you with those efforts?</p> <p>9 A. Again, Rallie Snowden, the name I 10 mentioned earlier, has done some of the 11 prevention programming that we offer. I'm 12 trying to think. A counselor who used to work 13 there who no longer works there was also 14 involved with some of those programs. Her name 15 is Beth Curry. She's no longer a part of the 16 university, and I don't recall if she was at 17 the time of the case we're talking about today. 18 And I don't recall if the others have, you 19 know, been involved in any of the trainings or 20 presentations related to this specific topic or 21 not.</p> <p>22 Q. Okay. So if I'm understanding you 23 correct, out of the topics that others may 24 present, you're the one that does the most with</p> | <p>Page 27</p> <p>1 Q. So the first one appears on page 1, 2 August 14th, 2012. It is Bringing in the 3 Bystander training, and it's training that you 4 provided at least to Jason Rodocker. 5 Do you see that?</p> <p>6 A. I do.</p> <p>7 Q. Okay. Without, you know, just give 8 me sort of like the couple-sentence synopsis of 9 what Bringing in the Bystander training is?</p> <p>10 A. Bringing in the Bystander is a 11 program that we don't specifically use by that 12 name any longer, but at the time it was our -- 13 our bystander intervention training, which is 14 our primary prevention program for preventing 15 sexual misconduct.</p> <p>16 Q. And I'm not sure if the list of who 17 attended is complete. I suspect it's not. 18 Would that be something that you would have 19 provided to multiple people?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. The next training appears on 22 page 6, and that's the one dated November 4th. 23 It's a Safe Space training?</p> <p>24 A. Yep.</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|--|---|
| <p style="text-align: right;">Page 30</p> <p>1 Q. You and the individual you 2 identified before, Rallie Snowden, presented 3 training to at least Lauren Kozak and Jason 4 Rodocker; is that correct?</p> <p>5 A. Yes. Again, very likely to have 6 been more people than just the two of them.</p> <p>7 Q. Okay. And what, again, just a 8 brief synopsis of what Safe Space training is?</p> <p>9 A. Safe Space training at Washington 10 and Lee is related to, as it says, offering 11 support for the lesbian, gay, bisexual, 12 transgender, queer community. Really just 13 providing, again, support, awareness, 14 information about how to -- how to work with 15 people in the LGBTQ community in the most 16 supportive way.</p> <p>17 Q. The next training appears on page 18 9, and that's the one dated October 7th, 2015?</p> <p>19 A. Okay.</p> <p>20 Q. And it's Hearing Advisor training?</p> <p>21 A. Okay.</p> <p>22 Q. And you see that you and Lauren 23 Kozak provided that training?</p> <p>24 A. I see that.</p> | <p style="text-align: right;">Page 32</p> <p>1 understand your description of the training 2 involved, sort of, how the Title IX process 3 works. If you could, sort of, break down for 4 me who takes responsibility for what, as it 5 appears you and Lauren co-trained that program.</p> <p>6 A. Right. So I would not have been 7 involved in the Title IX process part of it. 8 Lauren Kozak has always presented on policy, 9 process, and answering any questions about that 10 or explaining those -- or explaining that to 11 whatever body of people, whether that's 12 students or other members of the community in 13 some way.</p> <p>14 And my role in those trainings, 15 although I don't recall this one specifically, 16 but in those types of trainings, my role would 17 be to kind of talk about what would be typical 18 for someone who had experienced sexual 19 misconduct, so what -- how they might present. 20 What might be -- what that, a person in that 21 situation, might be going through so that 22 someone like a hearing advisor could be as 23 sensitive as possible to the issues.</p> <p>24 Q. Okay. The next one appears on page</p> |
| <p style="text-align: right;">Page 31</p> <p>1 Q. Okay. Can you tell me what Hearing 2 Advisor training entails?</p> <p>3 A. To the best of my ability, this is 4 something we haven't done in a long time. I 5 think the nature of that may have changed. I 6 have not been involved with that for some time. 7 The best of my ability or recollection is that, 8 hearing advisors are students who are trained 9 in order to assist other students who may be 10 going through a hearing process of some kind on 11 campus. That could be our honor violation 12 hearing process or the sexual misconduct 13 process, or the conduct process, to the best of 14 my knowledge. And hearing advisors are 15 students who are trained to just sort of serve 16 as a support resource for students who are 17 facing or have been involved with any of those 18 hearing bodies. Does that make sense?</p> <p>19 Q. Yeah. You see a reference there to 20 Student B, who is a hearing advisor to Ms. Roe. 21 I'll represent to you, Ms. Roe refers to [REDACTED] 22 [REDACTED] Do you have any idea who Student B is?</p> <p>23 A. No idea.</p> <p>24 Q. What's -- break down for me, I</p> | <p style="text-align: right;">Page 33</p> <p>1 13. That's an August 30th, 2016 Harassment and 2 Sexual Misconduct Board Training that you 3 presented with a number of other folks at the 4 university.</p> <p>5 A. I'm sorry, what page are we on? I 6 don't see my name on this page.</p> <p>7 Q. I'm sorry, 14.</p> <p>8 A. Sorry, I'm on the wrong page.</p> <p>9 Okay. Yes, I see that now.</p> <p>10 Q. Okay. What is the nature of that 11 training?</p> <p>12 A. So, again, to the best of my 13 recollection, this training was to this board, 14 the HSMB Board, at least some of those names 15 are listed here in the column. There could 16 have been more. I suspect that there were 17 more. And my role would have been similar to 18 what I just described with the hearing 19 advisors, where I'm sort of talking about, 20 clinically, what someone who may have 21 experienced sexual misconduct would be going 22 through, what they would be experiencing in 23 order for people to, sort of, really have an 24 awareness and an understanding of what that's</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|---|--|
| <p>1 like, what we know about trauma, what we know 2 about those experiences for the awareness of 3 people who would be hearing from students in 4 that situation.</p> <p>5 Q. Okay. If you turn to the next 6 page, there's a September 2nd training.</p> <p>7 A. Okay.</p> <p>8 Q. This is Bystander Intervention 9 Training for Facilitators?</p> <p>10 A. Mm-hmm.</p> <p>11 Q. Tell me what the nature of that 12 training is.</p> <p>13 A. So this would have been similar to 14 what we talked about earlier with the Bringing 15 In The Bystander. It may have been around this 16 time that we switched the actual name of the 17 program, and we were doing a Bystander 18 Intervention Program that was no longer the 19 trademarked program called Bringing In The 20 Bystander, but basically the same idea where we 21 are training members of the community to -- in 22 bystander skills and what it means to be able 23 to step in and speak up when you see something 24 that's concerning to you or something that</p> | <p>Page 34</p> <p>1 weeks before, two weeks before, on August 30th, 2 2016?</p> <p>3 A. I would assume that as well.</p> <p>4 Q. Okay. So those are the ones that 5 are listed in the University's Discovery 6 Responses. I'm going to show you a few more, 7 but I wanted to see if any others stood out in 8 your mind as relevant trainings you've provided 9 on this topic that we didn't already cover.</p> <p>10 A. I mean, I can think of a few. As 11 you noted earlier, that this is a topic that I 12 offer a lot of presentations on. I'm sure 13 there's no way I could remember them all, but I 14 do know that each year, I offer a presentation 15 to groups, including the peer counselors.</p> <p>16 That's a program of students who get trained in 17 lots of mental health issues to be able to 18 offer peer support, as well as our resident 19 advisors, our resident life students, RAs for 20 example. I usually offer a presentation to 21 both of those student groups at the beginning 22 of the fall term, like during our orientation 23 period. So I would say that that is something 24 I've probably done most years since I've been</p> |
| <p>1 makes you uncomfortable.</p> <p>2 So we would train -- that program 3 is offered to all incoming first-year students 4 every year, both undergraduate and law 5 students, so that's a lot of people. And we 6 offer that program in groups of about 20. So 7 that means many, many programs are happening to 8 reach, you know, the entire population of both 9 of those -- those first-year students. So we 10 recruit other members of the community to offer 11 that program, and so I, along with Jan 12 Kauffman, who's listed here, would train the 13 facilitators to deliver the program. And then 14 all of us would go out and offer a couple of 15 programs to the students directly.</p> <p>16 So this says it was a training for 17 those facilitators.</p> <p>18 Q. And then on page 16, dated 19 September 13, 2016, there's another 20 Harassment/Sexual Misconduct Board Training 21 that you were a part of.</p> <p>22 A. Yes.</p> <p>23 Q. And I assume that's the same 24 program that you would have provided a few</p> | <p>Page 35</p> <p>1 at Washington and Lee.</p> <p>2 I've also, most years I think, 3 probably provided a presentation to a group 4 called Speak, S-P-E-A-K, Speak -- it doesn't 5 stand for anything -- who are self-selected 6 members who are interested in this topic of 7 campus sexual misconduct. And I usually speak 8 to them about some of the issues and offering 9 support. That's sort of one of the roles that 10 they play. All of these students, actually the 11 idea is that they, as peers, may be the first 12 people to hear from one of their, another 13 student that they've experienced something. So 14 for them to be receiving that kind of 15 information, just to have them be as informed 16 as possible to be able to offer the most, you 17 know, sort of, support that they can to someone 18 who's maybe disclosed this to them. So that 19 would be another group that I've offered 20 similar training to that I've done, again, 21 probably most years.</p> <p>22 I'm not recalling anything else off 23 the top of my head, but I feel as though it's 24 possible that I have done others as well.</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | | |
|---|---------|---------|
| <p>1 Q. Okay. I'll take -- I'm sorry. I 2 keep hearing an echo and think someone's 3 objecting. Sorry. 4 I'll take you through some more. 5 A. Okay. 6 Q. So if you'll turn to tab two. 7 A. Okay. 8 - - - 9 (Whereupon the document was marked, 10 for identification purposes, as 11 Exhibit-2.) 12 - - - 13 BY MR. GALLINARO: 14 Q. I think you referenced this one 15 already. 16 A. Yes. 17 Q. There's a document here that is 18 titled, Sexual Misconduct at W&L, Awareness, 19 Resources and Response, Speak and One In Four, 20 fall 2011. Do you see that? 21 A. I do. 22 Q. And is that the training you were 23 just describing that you provide every year, 24 did you say?</p> | Page 38 | Page 40 |
| <p>1 A. I said most years. I recall doing 2 it most years. I can't say for sure that it 3 has been every single year. 4 Q. Okay. 5 A. But that is an example of what I'm 6 talking about that I would have provided to 7 that group called Speak, yes. 8 Q. And what's One In Four? 9 A. That was a -- that was a program, a 10 similar program to Speak, but for men. So 11 Speak was a program for women who were 12 interested in this topic, and One in Four was 13 the program for men who were interested in this 14 topic. I don't remember when, but One In Four 15 was, sort of, dissolved and Speak Now includes 16 any gender individual who's interested in the 17 topic. 18 Q. Okay. If you'll turn to tab three. 19 A. Okay. 20 - - - 21 (Whereupon the document was marked, 22 for identification purposes, as 23 Exhibit-3.) 24 - - -</p> | Page 39 | Page 41 |
| | | |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | | |
|---|---------|---------|
| <p>1 BY MR. GALLINARO:</p> <p>2 Q. Am I correct that this represents a</p> <p>3 speech you gave at another Take Back The Night</p> <p>4 event, this time in the 2017/2018 year? If</p> <p>5 you'll look at the third paragraph, I think it</p> <p>6 reflects that.</p> <p>7 A. Yes. I see that. Correct.</p> <p>8 Q. Have you reviewed this document in</p> <p>9 preparation for your deposition?</p> <p>10 A. No.</p> <p>11 Q. Do you recall giving this speech?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. We saw in your 2013 speech</p> <p>14 that you said you didn't have a story, and here</p> <p>15 you reference that, and you said, "It doesn't</p> <p>16 sound believable to say I don't have my own Me</p> <p>17 Too moment. All of the women I know, and here</p> <p>18 I am talking about my friends, peers and</p> <p>19 colleagues, have one. Literally if I know them</p> <p>20 well enough, they do."</p> <p>21 What are you referring to when you</p> <p>22 say a "Me Too" moment?</p> <p>23 A. If you recall, that was the year</p> <p>24 of, sort of, the hashtag Me Too movement when</p> | Page 42 | Page 44 |
| <p>1 many celebrity figures, including, sort of, the</p> <p>2 famous case with Harvey Weinstein, were facing</p> <p>3 public accusations from mostly women who they</p> <p>4 worked with in different capacities. You know,</p> <p>5 everything on the scale from, you know,</p> <p>6 harassment and degrading work environments to</p> <p>7 sexual assault and rape. So I'm referring to</p> <p>8 that and saying that most women that I know,</p> <p>9 myself included, have experienced at the</p> <p>10 minimal, you know, some low-level harassing</p> <p>11 type derogatory language at times in our lives.</p> <p>12 Q. Okay. So --</p> <p>13 A. So while I --</p> <p>14 Q. I'm sorry. I didn't mean to cut</p> <p>15 you off.</p> <p>16 A. I was saying, so while I haven't</p> <p>17 experienced a sexual assault or a rape, that I</p> <p>18 have experienced the harassment that became</p> <p>19 much more, sort of, publicly discussed during</p> <p>20 that Me Too year.</p> <p>21 Q. Okay. So the reference to everyone</p> <p>22 you know having a Me Too story doesn't</p> <p>23 necessarily mean something that rises to the</p> <p>24 level of assault. It can include harassment or</p> | Page 43 | Page 45 |
| | 24 | |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|--|---|
| <p>1 (Whereupon the document was marked, 2 for identification purposes, as 3 Exhibit-5.) 4 --- 5 BY MR. GALLINARO: 6 Q. This is what appears to be a Speak 7 Training sign-in sheet, dated 11/15/2015. 8 A. Okay. Yep. 9 Q. Your name there at the top as, I 10 assume, one of the presenters? 11 A. Yes. 12 Q. And we've discussed Speak already. 13 A. Yes. 14 Q. And it's something you did -- you 15 presented to most years but maybe not every 16 year; that's what you said? 17 A. That's the best of my recollection. 18 Q. How is it that you're invited to do 19 these trainings? Who invites you? 20 A. So Jan Kauffman, who I had 21 mentioned before and whose name is also on this 22 list, I think is technically the advisor to 23 that group. And so either she or the members 24 of the steering committee of Speak themselves</p> | <p>Page 46</p> <p>1 A. I don't remember. 2 Q. Okay. You said earlier that the 3 organization Speak was merged with a different 4 organization called One In Four? 5 A. Correct. 6 Q. What does -- what is that a 7 reference to? 8 A. That is a reference to the number 9 of women who will experience a sexual assault 10 from, you know, sort of the time they're adults 11 through their college-age years. 12 Q. Okay. And what is that -- is that 13 an understanding that you have, that that's -- 14 A. I believe the current number is 15 more like one in five. That's the number 16 that's sort of the rate that I have quoted more 17 recently. 18 Q. What's the source of that 19 information? 20 A. Oh, boy, I've seen that referenced 21 in many places, you know, from -- I don't even 22 know that I could specifically say where, but 23 I've checked that statistic and was one of the 24 people who did update it in recent years from</p> |
| <p>1 have usually asked me to participate in the 2 training or the presentation. 3 Q. And you'll see that one of the 4 names listed the third line down is [REDACTED] 5 [REDACTED] Do you see that? 6 A. I do. 7 Q. Was she a member of the steering 8 committee? 9 A. I don't recall. 10 Q. Do you recall interacting with her 11 in any type of capacity on behalf of Speak? 12 A. No. 13 Q. Do you recall that she attended 14 this training? 15 A. No. 16 Q. Did you have any -- any 17 relationship with her at all before you had -- 18 she had seen you in the counseling center for 19 the assault that -- or the alleged assault that 20 brings us here today? 21 A. No. 22 Q. Would you have -- did you recognize 23 her when she came in or was she just completely 24 unfamiliar to you?</p> | <p>Page 47</p> <p>1 one in four. Just like I said before, trying 2 to keep up with the current knowledge, whether 3 that's from websites or articles on the -- you 4 know, that I find from different organizations. 5 But I don't think I could say specifically 6 where. 7 Q. Okay. When you say you've seen 8 references to it, are those articles referring 9 to studies or have you read the studies 10 themselves that establish that as a statistic? 11 A. A little bit of both. 12 Q. And what studies have you read that 13 establish that as a statistic? 14 A. Again, I wouldn't be able to quote 15 a specific name or a study. 16 Q. Okay. 17 A. This would have been years ago for 18 a lot of these things. 19 Q. Are you aware of any criticism of 20 the methodology or the data underlying those 21 statistics? 22 A. I'm aware that criticism and 23 skepticism exists. 24 Q. And what criticism are you aware</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|--|--|
| <p>1 of?</p> <p>2 A. Again, I wouldn't know a specific 3 name or article that is disputing it, but you 4 know, people doubting that that number is as 5 high as it is, people doubting, sort of, the 6 definitions that may have been used or people's 7 ability to recall.</p> <p>8 Q. Or the participation rate of the 9 students?</p> <p>10 A. Possibly so. Sure.</p> <p>11 Q. Have you seen, I believe there's 12 a -- one of the more common sources of that 13 statistic is, I think it's an organization 14 called AAU. I might be getting it wrong. Does 15 that sound familiar to you? AAU, like Campus 16 Climate Survey or something like that.</p> <p>17 A. I've heard of the Campus Climate 18 Survey. I'm not sure what AAU stands for or 19 not but...</p> <p>20 Q. Maybe I'm misremembering.</p> <p>21 A. Yes.</p> <p>22 Q. But there's, in one of the years 23 that Campus Climate, I believe, survey came 24 out, there was an executive summary that</p> | <p>Page 50</p> <p>1 recall, has it -- have you updated it or has it 2 evolved?</p> <p>3 A. So I'm looking back at this tab 4 two, with that particular presentation 5 from 2011, and some -- there are some, like, 6 statistics that are provided. There are some 7 definitions that are provided. I believe the 8 most current versions of this presentation I've 9 given don't include those things. Some of the 10 common reactions that a person may experience 11 if they had, you know, experienced a sexual 12 assault or some type of misconduct, that would 13 be -- I think that all looks very similar. I 14 think that's roughly the same as what I do now 15 or most recently. What to do, how to be a 16 support, a lot of that looks like that would be 17 very similar, if not the same, as what I say 18 now. And I believe, you know, resources would 19 be the same or, if not, just updated to reflect 20 anything new that's come about in terms of 21 organizations that can provide support and 22 resources.</p> <p>23 And I think I talk a little bit now 24 in a way that I didn't back in 2011 about sort</p> |
| <p>1 cautioned against using it to support 2 one-in-four or one-in-five statistics and 3 criticized the media for doing so. Are you 4 familiar with that or do you recall reading 5 anything like that?</p> <p>6 A. I don't recall that.</p> <p>7 Q. The training that we're looking at 8 here on Exhibit-5, do you recall what this 9 training would have entailed?</p> <p>10 A. Not specifically this one. What I 11 had described earlier about the Speak trainings 12 in general is what I would guess this one 13 included, but I couldn't say specifically how 14 this one may have been slightly different than 15 others or not.</p> <p>16 Q. Has the Speak training that you've 17 provided, has it evolved over time, or is it 18 more or less consistent with what we saw in the 19 tab that we looked at earlier, which I believe 20 was tab two?</p> <p>21 A. I would say, in general, it's the 22 same, but at the same time I would say it has 23 evolved a little bit.</p> <p>24 Q. Okay. In what ways, if you can</p> | <p>Page 51</p> <p>Page 53</p> <p>1 of holding a high standard of behavior for 2 ourselves in our community in terms of what we 3 expect from ourselves with how we treat one 4 another. That doesn't look like it's in this 5 version.</p> <p>6 Q. Okay. Do you keep in your files 7 the various versions of the presentations that 8 you provide?</p> <p>9 A. Sometimes I probably override them 10 if I'm making minor updates, just sort of save 11 it as a new document with minor changes, and 12 sometimes I probably have the old versions. I 13 don't -- I don't purposely do one or the other.</p> <p>14 Q. In this case, were you asked to 15 gather and provide to either university counsel 16 or a law firm representing the university your 17 materials that relate to the trainings you've 18 provided?</p> <p>19 A. Yes.</p> <p>20 Q. And did you undertake to do so 21 thoroughly?</p> <p>22 A. Yes.</p> <p>23 Q. So if you had a training, you would 24 have provided it to counsel?</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|--|--|
| <p style="text-align: right;">Page 54</p> <p>1 A. Yes. Absolutely. 2 Q. If you could turn to tab six. 3 A. Okay. 4 - - - 5 (Whereupon the document was marked, 6 for identification purposes, as 7 Exhibit-6.) 8 - - - 9 BY MR. GALLINARO: 10 Q. This is a document titled, Sexual 11 Relationships at W&L, how to Support Healthy 12 Sexual Relationships and How to Respond When 13 Things Go Wrong, and it's referred to as Peer 14 Leader Training, Fall of 2016. Do you see 15 that? 16 A. I do. 17 Q. What is peer leader training? 18 A. So that would refer to the peer 19 counselors or the Residence Life staff, any of 20 those peer groups who have leadership roles. 21 Q. And just remind me again, are 22 those -- are those students or are those -- 23 A. Yes. Both of those groups would be 24 student groups.</p> | <p style="text-align: right;">Page 56</p> <p>1 you know, someone who's knowledgeable, who 2 lives in, especially with first years, but also 3 with the upper division students. 4 Q. Do you know whether any of the 5 parties in the underlying proceeding were 6 either peer counselors or part of the RA staff 7 that you were just referring to? 8 A. So the parties, meaning [REDACTED] or 9 [REDACTED] 10 Q. Yeah. 11 A. I don't believe [REDACTED] was in either 12 of those groups. I don't know about [REDACTED] 13 Q. Do you know whether their advisors 14 were? 15 A. I have no idea. 16 Q. How often have you participated in 17 this kind of a training, peer leader trainings? 18 A. I would say probably most years, if 19 not every year, that I've been at Washington 20 and Lee. 21 Q. And who asks you to do that? 22 A. Kirk Luder. He is a psychiatrist 23 and member of the University Counseling Center. 24 Q. And is this a training that you do?</p> |
| <p style="text-align: right;">Page 55</p> <p>1 Q. And, again, what is their -- what 2 organizations are they part of that makes them 3 a peer leader? 4 A. Okay. So one is the peer counselor 5 program, and that is a group of students who 6 are selected by one of the other counselors in 7 the counseling center to be trained. They 8 receive hours and hours, like a week long of 9 training, at least, on recognizing and 10 responding to different forms of stress that a 11 peer might present to them with. They're sort 12 of like on the front lines of being peer 13 support. So they get trained in all sorts of 14 mental health issues provided by different 15 members of the counseling center. And, you 16 know, one of the topics that they get -- you 17 know, hear presentations on is related to this 18 topic that you see here. 19 The other group that I'm referring 20 to as peer leaders are the Residence Life 21 staff, so resident advisors, community advisors 22 who are employees of the university who, you 23 know, serve in the housing -- in residents -- 24 residential housing as, you know, support and,</p> | <p style="text-align: right;">Page 57</p> <p>1 I only see your name listed on the program. Is 2 this a training that you do on your own or do 3 other members of the counseling center assist? 4 A. This particular presentation I have 5 always done alone. 6 Q. If you turn to page 759, there's 7 numbers in the bottom right hand of the -- 8 A. Oh, I see. 9 Q. And there's, if you could turn to 10 759. 11 A. Yes. Okay. 12 Q. All right. I'm getting there 13 myself. 14 You describe in this page and the 15 following page common reactions to sexual 16 assault violence; do you see that? 17 A. I do. 18 Q. Where did you obtain this 19 information or what was your source to develop 20 this list of common reactions? 21 A. Probably no particular source, as 22 in not like one single source, rather a, sort 23 of, culmination of information that come from 24 literature or diagnostic material related to</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|--|---|
| <p style="text-align: right;">Page 58</p> <p>1 trauma or experiencing any type of traumatic, 2 you know -- any type of traumatic situation. 3 So it would have been culled probably from 4 multiple sources and from my own clinical, sort 5 of, experience and judgment of working with 6 people who have experienced, you know, trauma 7 or abuse in multiple forms.</p> <p>8 Q. Understanding that it's an 9 amalgamation of various sources, are there 10 any -- are there any specific sources that you 11 could identify that would have contributed to 12 your understanding of this issue?</p> <p>13 A. I mean in terms of diagnosis and 14 assessment in a formal way, I would say the 15 Diagnostic and Statistical Manual for Mental 16 Disorders, known as the DSM, in different 17 versions of that that have been published 18 through the years, different updates. So in 19 terms of like a symptomatic kind of, you know, 20 assessment list, that would be -- that would be 21 one. And then, again, I think the others would 22 be harder to pinpoint a specific source other 23 than both my clinical experience, as well as, 24 you know, many, many sort of different writings</p> | <p style="text-align: right;">Page 60</p> <p>1 would probably not remember any specific names. 2 Q. I'm sorry, there are window washers 3 outside my window that just got started. 4 Are you familiar with any of 5 Rebecca Campbell's work?</p> <p>6 A. No.</p> <p>7 Q. Have you heard of someone with the 8 last name Bennett?</p> <p>9 A. Not sure.</p> <p>10 Q. Other than the names you've already 11 given me, are there any other researchers or 12 authorities that you can think of that have 13 most informed your understanding of the issue 14 of sexual violence and trauma?</p> <p>15 A. I don't think by a specific name, 16 no.</p> <p>17 Q. Okay.</p> <p>18 MR. GALLINARO: Can I go off the 19 record for one minute?</p> <p>20 - - -</p> <p>21 (A short recess was taken.)</p> <p>22 - - -</p> <p>23 BY MR. GALLINARO:</p> <p>24 Q. When we left off from the break, we</p> |
| <p style="text-align: right;">Page 59</p> <p>1 on trauma reactions and, you know, anxiety and 2 dealing with, sort of, troubling experiences 3 that people have.</p> <p>4 Q. Would you say there's any 5 particular research or authority in this field 6 that has most informed your understanding of 7 trauma?</p> <p>8 A. Again, maybe Bessel van der Kolk is 9 considered an expert in the field, as a name, 10 you know, if there's like a particular name.</p> <p>11 Q. I didn't spell that before, but the 12 court reporter would probably need that one. 13 So if you could --</p> <p>14 A. Okay. I will do my best. The 15 first name is Bessel, B-E-S-S-E-L, and the last 16 name is Van Der Kolk, V-A-N-D-E-R-K-O-L-K.</p> <p>17 Q. Any other authorities that you can 18 think of that have informed your understanding 19 of the trauma and impact of sexual violence?</p> <p>20 A. Again, I think I mentioned this 21 name earlier, Peter Levine is someone, 22 L-E-V-I-N-E, as someone that I recall that I've 23 read some of his work on trauma. And I've 24 heard speakers as well, but that's where I</p> | <p style="text-align: right;">Page 61</p> <p>1 were discussing the peer leader training 2 written materials that you presented in the 3 fall of 2016.</p> <p>4 A. Correct.</p> <p>5 Q. Could you turn to, excuse me, 6 page -- in the bottom right-hand corner, page 7 757?</p> <p>8 A. Sure. Okay. Yes, I have that.</p> <p>9 Q. This references something we had 10 been discussing previously, the statistics 11 concerning the number of women who will 12 experience some form of sexual assault in 13 college. Here you state that one in five 14 college women have been the victims of rape or 15 attempted rape.</p> <p>16 Do you believe that that's an 17 accurate statistic?</p> <p>18 A. Again, that seems to be the 19 statistic that I have found and that my 20 colleague Jan Kauffman, who I've mentioned 21 before, who is the advisor to Speak and works 22 with me on some of these -- in these roles and 23 this programming, have found in multiple 24 sources. So I have trusted that as a -- as</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|--|--|
| <p>1 stated, that I have shared with students in 2 these type of presentations they've done, based 3 on the sources of where I found it. 4 Q. I've seen other references to, in 5 some of your presentations, to One In Four or 6 One In Five but with regard to sexual assault. 7 Is there a distinction in your mind between 8 rape or attempted rape and sexual assault? 9 A. Is there a distinction in my mind, 10 that's your question? 11 Q. Yes. 12 A. You know, certainly rape has a 13 specific legal definition or a policy 14 definition that I know can vary from location 15 to location. But I believe that has a specific 16 definition. And I would say that sexual 17 assault is more of a broad term that could 18 encompass, you know, a variety of behaviors or 19 misconduct. Does that answer your question? 20 Q. It does. So I guess my question 21 is, is the statistics that you typically review 22 and rely upon in providing these presentations, 23 is it that one in five women will experience 24 the broader definition of sexual assault, which</p> | <p>Page 62</p> <p>1 this Exhibit-6. 2 A. Okay. 3 Q. And this is a slide that -- with 4 the heading, "What To Do"? 5 A. Yes. 6 Q. And it sets forth, my understanding 7 is it sets forth the things you should do if 8 someone tells you they've been sexually 9 assaulted; is that correct? 10 A. Yes, some suggestions for how to 11 respond when someone has disclosed that to you. 12 Q. Do you observe these practices in 13 your role as a university counselor? 14 A. Yes. 15 Q. Okay. And that includes the first 16 one on the slide that says, "believe the 17 person"? 18 A. Yes. 19 Q. And then there's a note at the 20 bottom that references that that's the single 21 most important thing you can do; is that 22 correct? 23 A. Yes. 24 Q. Okay. Is there any circumstance</p> |
| <p>Page 63</p> <p>1 could be as broadly defined as an unwanted 2 attempted kiss or is it rape as you've put in 3 here? 4 A. I would say that it's not -- it's 5 not specific to the legal definition of rape. 6 I would say that it's more broad. 7 Q. Okay. So setting aside the legal 8 definition of rape, if you are using the word 9 rape, are you equating that with any type of 10 sexual assault? 11 A. No. 12 Q. So do you stand by this statistic 13 that one in five women will experience rape or 14 attempted rape? 15 A. I don't -- I don't recall us 16 writing it that way. I'm not saying this is 17 incorrect, but I would have thought that that 18 would more likely have been worded as rape or 19 sexual assault. 20 Q. Okay. That's what -- I think I've 21 seen it that way in other materials. That's 22 why I wanted to pass through it. 23 A. Okay. 24 Q. If you could turn to page 761 of</p> | <p>Page 65</p> <p>1 that you can think of where it would not be 2 appropriate to believe the person who is 3 reporting to you that they've been assaulted? 4 A. In my role? 5 Q. Yeah, as a counselor. 6 A. In my role as a counselor, I 7 believe the truth that people bring to me in 8 counseling, on any topic, not just sexual 9 assault. That is where I have to meet them 10 with that story that they're telling me with 11 that information that they provide. So I think 12 my stance is to believe what the truth is as 13 their truth, as they're telling it to me. 14 Q. It's not your role to investigate 15 whether what they're telling you is true or 16 not? 17 A. Exactly. 18 Q. You have to take it at, sort of, 19 face value for what they report to you as the 20 truth? 21 A. From the point of view of the story 22 that they're telling me, yes, I would say that 23 that's true. There are other factors that I 24 may take into account in terms of what is being</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|--|--|
| <p style="text-align: right;">Page 66</p> <p>1 presented to me and whether that is consistent 2 with the things that they say, but as we said, 3 I'm not an investigator and I'm not trying to 4 determine some sort of, you know, definition of 5 truth to an outsider, but rather working with 6 the person clinically, you know, in a clinical 7 domain, who's come to me.</p> <p>8 Q. Are there circumstances you could 9 think of where upon listening to someone 10 telling you their story, you would question 11 whether, you know, you should follow your sort 12 of baseline rule, which is to believe them? I 13 understand sometimes a doctor may have a 14 concern that someone is, for example, drug 15 seeking, so they might be misreporting --</p> <p>16 A. Sure.</p> <p>17 Q. -- things. Are there circumstances 18 like that that you've encountered as a 19 counselor?</p> <p>20 A. I'm trying to think. I would say 21 that there are times when I think someone isn't 22 telling me everything, that I think there's 23 more to, you know, a story that someone isn't 24 sharing. It would be rare for me to come up --</p> | <p style="text-align: right;">Page 68</p> <p>1 example where someone might come at the 2 recommendation of someone else.</p> <p>3 A. Okay.</p> <p>4 Q. So you only treat -- first of all, 5 let me back up. Do you only treat students or 6 does your practice at W&L expand beyond the 7 student community?</p> <p>8 A. We only offer counseling services 9 to students. That's correct.</p> <p>10 Q. Okay. So if a student came to you 11 and said, you know, I'm involved in this 12 litigation. It's a personal injury thing. My 13 lawyer told me it would be helpful and make me 14 a more credible witness if I actually sought 15 out some sort of treatment for what I'm 16 claiming. I'm here because my lawyer thinks 17 it'll help make me a more believable witness. 18 So could you just, like, check this box and say 19 that I came for treatment? Would that be a 20 situation where you would have some skepticism 21 of whether the person legitimately needed 22 treatment?</p> <p>23 A. Yes.</p> <p>24 MR. WOOD: Before you answer --</p> |
| <p style="text-align: right;">Page 67</p> <p>1 I'm not sure I can come up with an example of 2 where I think someone has blatantly lied about 3 something. And I think that I would partly 4 attribute that to the idea that people come 5 voluntarily to me in counseling. I don't do 6 mandated treatment. And so if someone is 7 coming for help, they're coming for help or 8 support. If they don't tell me what is going 9 on, what they've experienced, how they're 10 feeling, if they're not truthful in that 11 telling, I don't understand how they would get 12 help from me.</p> <p>13 So I think that that would probably 14 partly explain why I think what they are 15 telling me is largely true. Again, are there 16 times I thought maybe they're not telling me 17 everything there is to be told? Possibly so. 18 But I don't feel like people have come and 19 lied, and I think the reason is because they 20 have come out of their own volition, right, to 21 come get support or advice or treatment from 22 me, and I'm not going to be able to do that 23 effectively if I don't know what's going on.</p> <p>24 Q. Let me give you a hypothetical</p> | <p style="text-align: right;">Page 69</p> <p>1 Jana, before you answer, I object to the 2 form of the question.</p> <p>3 MR. GALLINARO: Sure.</p> <p>4 BY MR. GALLINARO:</p> <p>5 Q. You can answer.</p> <p>6 MR. WOOD: You can answer.</p> <p>7 THE WITNESS: Okay. Now I -- were 8 you asking if I would have skepticism 9 about at the voracity of their --</p> <p>10 BY MR. GALLINARO:</p> <p>11 Q. Yeah.</p> <p>12 A. I suppose, hypothetically, yes.</p> <p>13 Q. So, in other words, could you 14 conceive of someone coming to see you with an 15 ulterior motive to establish facts in their 16 support if they were involved in an adversarial 17 proceeding?</p> <p>18 MR. WOOD: Object to the form.</p> <p>19 THE WITNESS: Should I answer?</p> <p>20 MR. WOOD: Yes.</p> <p>21 THE WITNESS: Again, 22 hypothetically, sure. I could conceive 23 that that would be possible.</p> <p>24</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|--|--|
| <p style="text-align: right;">Page 70</p> <p>1 BY MR. GALLINARO:</p> <p>2 Q. Could you turn for me to Exhibit-7?</p> <p>3 A. Okay.</p> <p>4 - - -</p> <p>5 (Whereupon the document was marked, 6 for identification purposes, as 7 Exhibit-7.)</p> <p>8 - - -</p> <p>9 BY MR. GALLINARO:</p> <p>10 Q. This is a document that's titled, 11 Sexual Assault Prevention at W&L, Board of 12 Trustees, October 7th, 2016, and your name, as 13 well as Jan Kauffman's name, is listed.</p> <p>14 Do you see that?</p> <p>15 A. I do.</p> <p>16 Q. And what is the nature of this 17 training that you presented to the board of 18 trustees?</p> <p>19 A. I don't know that I would say it 20 was a training as much as just sort of a 21 presentation of -- I mean I'd have to look 22 through it, but my recollection is that it was 23 more of a presentation on the nature of the 24 programming and our approach to this topic.</p> | <p style="text-align: right;">Page 72</p> <p>1 and 7, as well as two speeches at the Take Back 2 The Night. And some of these presentations are 3 ones that you give more than once, correct?</p> <p>4 A. Correct.</p> <p>5 Q. So would you agree that you're 6 pretty active in this space at the W&L 7 community?</p> <p>8 A. Yes. I agree with that.</p> <p>9 Q. Do you believe that you are -- are 10 you -- does the university consider you an 11 authority on this topic?</p> <p>12 MR. WOOD: Object to the form.</p> <p>13 THE WITNESS: I don't know what you 14 mean by the university.</p> <p>15 BY MR. GALLINARO:</p> <p>16 Q. Well, I guess given that you're 17 invited to speak to the board of trustees and 18 present trainings at university functions and 19 for groups on campus, you're understanding that 20 you are asked to do that because you have 21 expertise in this area?</p> <p>22 MR. WOOD: Object to the form.</p> <p>23 THE WITNESS: Go ahead and answer, 24 Craig?</p> |
| <p style="text-align: right;">Page 71</p> <p>1 Q. Okay. And who do you recall 2 invited you to present to the board of 3 trustees?</p> <p>4 A. I believe it was Dean Sidney Evans.</p> <p>5 Q. Have you done any other 6 presentations to the board?</p> <p>7 A. I think I did one other time, but I 8 don't -- yes, I did one other time present to 9 the board.</p> <p>10 Q. When was that?</p> <p>11 A. I don't remember the year, and it 12 was on a different topic.</p> <p>13 Q. What was the topic, if you can 14 recall?</p> <p>15 A. It was on our diversity and 16 inclusion efforts at Washington and Lee.</p> <p>17 Q. So unrelated to sexual assault?</p> <p>18 A. Yes.</p> <p>19 Q. We've now been through a number of 20 trainings. We started with the six that were 21 listed on Exhibit-1.</p> <p>22 A. Okay.</p> <p>23 Q. We reviewed training materials from 24 four other presentations in Exhibits 2, 5, 6</p> | <p style="text-align: right;">Page 73</p> <p>1 MR. WOOD: Yes.</p> <p>2 THE WITNESS: That's good. I 3 believe I would -- I believe it's true 4 that there are at least some people, 5 probably including Sidney Evans, who 6 regard me to be among the people who have 7 some special interest in training and 8 authority on this topic.</p> <p>9 BY MR. GALLINARO:</p> <p>10 Q. In other words, they didn't pick 11 you out of a hat. You were chosen to do these 12 trainings because of your practice and your 13 research and your knowledge; is that correct?</p> <p>14 A. Right.</p> <p>15 MR. WOOD: Object to the form.</p> <p>16 You can answer.</p> <p>17 THE WITNESS: Correct.</p> <p>18 - - -</p> <p>19 (Whereupon the document was marked, 20 for identification purposes, as 21 Exhibit-8.)</p> <p>22 - - -</p> <p>23 BY MR. GALLINARO:</p> <p>24 Q. I'd like to -- I'd like to turn now</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | | |
|--|---------|---|
| <p>1 to Exhibit-8. And I just want to confirm that 2 this is the training, if I understand 3 correctly, this is called, Sexual Assault 4 Patterns and Responses, Presentation to HSMB, 5 September 2016, Janet Boller, PsyD. I'd like 6 to confirm that this is the training that we 7 saw back in Exhibit-1 that you presented on -- 8 in August as well as in September to the 9 members of the Harassment and Sexual Misconduct 10 Board?</p> <p>11 A. Yes. I believe that this would be 12 that training that was referred to.</p> <p>13 Q. Okay. So though this one is dated 14 September, it would have been the same material 15 presented in August?</p> <p>16 A. Probably so, yes.</p> <p>17 Q. You don't think you would have come 18 up with a different slide deck for the --</p> <p>19 A. Not in a month's time, no.</p> <p>20 Q. Okay. Have you reviewed this 21 document in preparation for your deposition?</p> <p>22 A. No.</p> <p>23 Q. Are you generally familiar with 24 what it contains? Do you recall giving this</p> | Page 74 | <p>1 than in this August and September training?</p> <p>2 A. I don't believe so.</p> <p>3 Q. Have you done any since then, like 4 up until the present?</p> <p>5 A. I don't think so.</p> <p>6 Q. So you've only been asked to train 7 the board members of the HSMB on two occasions, 8 as best you can recall?</p> <p>9 A. Correct.</p> <p>10 Q. Okay. So you would have had no 11 reason to have updated any of this material 12 since presenting it in 2016?</p> <p>13 A. Yeah. Right. I don't think so.</p> <p>14 Q. If you were asked to present, 15 again, this type of training to the HSMB, is 16 there anything that you think you would need to 17 update in this training?</p> <p>18 A. I'm not sure that I would include 19 this first slide after the introduction that's 20 titled, The Study of Perpetrators, on page 689 21 at all.</p> <p>22 Q. And why is that?</p> <p>23 A. At the time, I believe that this 24 work had been recently discredited, but David</p> |
| <p>1 presentation?</p> <p>2 A. I generally recall giving the 3 presentation. If you wanted me to say anything 4 that's in there, I would take a quick look 5 through it.</p> <p>6 Q. Sure. Did you -- did you assemble 7 this material for these trainings in 2016 8 specifically for this training, or is this 9 material that you've had from previous 10 trainings?</p> <p>11 A. I would say a little bit of both. 12 I think if I'm speaking to a specific group, I 13 might tailor it a little bit, including a few 14 different or additional pieces, but there will 15 be some, like I can already see quickly 16 flipping through, common reactions that you 17 would probably have seen, basically copied and 18 pasted through a lot of my presentations. So I 19 would say a little bit of both.</p> <p>20 Q. And I didn't recall seeing on the 21 chart at least presentations to the HSMB 22 members other than these two. Do you have any 23 understanding of whether you've given this 24 training to other members of the panel other</p> | Page 75 | <p>1 Lisak's name was fairly known in the field and 2 was a name that I had used in the past. So I 3 was really making that distinction that this is 4 work that had been discredited. But now that 5 actually feels so outdated to me, I don't think 6 I would make reference to it at all.</p> <p>7 Q. Okay. Tell me as best you can 8 recall what it is that you present here when 9 you discuss A Study of Perpetrators by David 10 Lisak.</p> <p>11 A. I would say essentially what is 12 written in the notes section on that same page, 13 you know, that he did this survey of, you know, 14 college men, and the way that, you know, others 15 in a community, either wittingly or unwittingly 16 sometimes camouflage a perpetrator's actions, 17 and that it sort of becomes sort of a 18 community, kind of, problem. But again, this 19 was -- you know, this was work that was -- his 20 methodology was discredited essentially.</p> <p>21 Q. And you reference that it's now 22 discredited. Do you recall when it was 23 discredited?</p> <p>24 A. I don't.</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | | | |
|--|---------|--|---------|
| <p>1 Q. Is there a particular reason you 2 included it as the beginning of your 3 presentation to the HSMB, even though you were 4 aware it had been discredited?</p> <p>5 MR. WOOD: Object to form.</p> <p>6 THE WITNESS: So my recollection of 7 why I put it in here was because, again, 8 as I mentioned a minute ago, I think that 9 this was a name that had been, I believed 10 to have been sort of well known in the 11 field and could have been something even 12 that myself and others in -- at Washington 13 and Lee has used in other -- making 14 reference to him in other presentations 15 that we did. So I'm trying to be clear 16 about that with work that had been cited 17 in the past. Now, you know, we believe 18 some of this, it appears to have been 19 discredited. So I think just being clear 20 about that.</p> <p>21 BY MR. GALLINARO:</p> <p>22 Q. Well, you wouldn't have trained the 23 HSMB members before, so is there a reason you 24 felt you needed to address something that had</p> | Page 78 | <p>1 Q. So what were you training them 2 about perpetrators? What information did you 3 convey?</p> <p>4 A. Again, I wouldn't be able to recall 5 anything in particular that I said other than 6 what I see here on the notes that are on this 7 page.</p> <p>8 Q. Okay. So you would have had a 9 discussion with the panel members that there's, 10 according to the notes, a small percentage of 11 men who are responsible for a high percentage 12 of rapes; is that correct?</p> <p>13 MR. WOOD: Object to form.</p> <p>14 You can answer.</p> <p>15 THE WITNESS: You're asking if 16 that's what I was saying about this work?</p> <p>17 BY MR. GALLINARO:</p> <p>18 Q. Yeah. Well, that's what the notes 19 say --</p> <p>20 A. Right.</p> <p>21 Q. -- and you were saying you can't 22 remember beyond the notes, so is that an 23 accurate depiction then of what you would have 24 been presenting?</p> | Page 80 |
| <p>1 been included in other training materials that 2 you were recognizing was now discredited?</p> <p>3 MR. WOOD: Object to form.</p> <p>4 THE WITNESS: I mean, I -- I really 5 can't say specifically. I just don't 6 recall what my -- what my thought process 7 was.</p> <p>8 BY MR. GALLINARO:</p> <p>9 Q. Were you presenting it to the panel 10 because, even though it was discredited, you 11 felt it was still good or helpful information?</p> <p>12 A. I don't recall.</p> <p>13 Q. And the study that David Lisak 14 performed was a study of only male 15 perpetrators, correct?</p> <p>16 A. Yes.</p> <p>17 Q. And did you, in presenting the 18 materials associated with this slide, did you 19 train the hearing panel members on what are the 20 characteristics of perpetrators? Is that 21 something that you gleaned from this study?</p> <p>22 A. No, not necessarily. I didn't feel 23 that I was trying to train them on any 24 particular characteristics of perpetrators, no.</p> | Page 79 | <p>1 A. If that's what that says here, yes. 2 I didn't catch the exact part you were reading 3 from, but...</p> <p>4 Q. The following page, 690, if you 5 could turn to that.</p> <p>6 A. Yes.</p> <p>7 Q. You trained the panel members on 8 the effects of trauma; is that correct?</p> <p>9 A. Yes.</p> <p>10 Q. I know we've discussed, sort of, 11 your understanding of trauma and what it's 12 based upon. Is there any other research that 13 we haven't already discussed that would have 14 informed your preparation of the material in 15 this slide?</p> <p>16 A. Not -- again, not by anyone's, 17 like, particular name, but there were, you 18 know, there are -- again, there are notes that 19 I would take from conferences or presentations 20 I attended with experts, again, whose names I 21 don't remember, that possibly would have 22 informed this type of -- the type of 23 information that's on this, that's on this 24 slide and in the notes here.</p> | Page 81 |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | | | |
|--|---------|---|---------|
| <p>1 Q. Okay. If you look towards the 2 bottom of the page, you have, again, some 3 notes. Is it your practice that where you 4 have, like, more information to present on a 5 slide, you include notes on the bottom to help 6 you through that slide?</p> <p>7 A. Yeah. Those are really notes for 8 myself. Not that I -- I don't read them word 9 for word, and I don't share them, you know, 10 necessarily with the audience. It's really 11 just to help me remember what were some of the 12 things that I was going to be sharing.</p> <p>13 Q. So if we're seeing notes on a 14 slide, it's more likely that that's a slide 15 where you're spending a little bit more time?</p> <p>16 MR. WOOD: Object to form.</p> <p>17 BY MR. GALLINARO:</p> <p>18 Q. Is that correct?</p> <p>19 A. I don't know that it means -- that 20 it refers to how much time I spent, just to 21 help me remember the different things I want to 22 say. Some slides that may be more self-evident 23 of what needed to be discussed. I don't think 24 it would refer to the amount of time.</p> | Page 82 | <p>1 you remember before, I asked you if you would 2 have updated anything in the training. Is that 3 something you still would present if you were 4 including a training today?</p> <p>5 A. These statements that you just read 6 to me, would I include those in a training?</p> <p>7 Q. Yes.</p> <p>8 A. In a training to a hearing board in 9 particular or in general?</p> <p>10 Q. Yeah, to a hearing board.</p> <p>11 A. I mean that's just hard to say 12 since I haven't been asked to do that. I stand 13 by those statements.</p> <p>14 Q. Okay. And those statements, in the 15 context of a sexual misconduct proceeding, 16 those would only apply to the accuser, correct, 17 because the accuser is the only person that 18 could be the victim?</p> <p>19 MR. WOOD: Object to the form.</p> <p>20 THE WITNESS: I mean I wouldn't -- 21 I wouldn't know if the respondent in a 22 situation like that had also experienced 23 trauma. I mean that's certainly possible.</p> <p>24</p> | Page 84 |
| <p>1 Q. The fifth note -- I guess I'll call 2 paragraph -- starts with the phrase "Trauma 3 victims, paren, not just sexual assault, will 4 make statements that are incomplete and 5 inconsistent partly due to effects of trauma 6 itself."</p> <p>7 A. Yes. I see that.</p> <p>8 Q. "This can make us question 9 credibility but should not."</p> <p>10 Do you see that?</p> <p>11 A. I do.</p> <p>12 Q. This is -- and this is part of the 13 training that you provide to the people who are 14 going to adjudicate Title IX sexual misconduct 15 cases?</p> <p>16 A. I'm sorry, is that a -- did you ask 17 me a question?</p> <p>18 Q. Yes. I'm just confirming that 19 that's the --</p> <p>20 A. Oh, confirming.</p> <p>21 Q. -- information you're presenting to 22 adjudicators?</p> <p>23 A. Yes. Confirming, yes.</p> <p>24 Q. Is that something that you -- do</p> | Page 83 | <p>1 BY MR. GALLINARO:</p> <p>2 Q. Well, in a case where there wasn't, 3 sort of, competing, you know, cross claims, 4 where one student accused another of sexual 5 assault, if we're going to be understanding 6 your training about how to assess the two 7 students' credibility, this would apply to the 8 accuser and not to the respondent, correct?</p> <p>9 A. So I'm not training anyone in how 10 to assess credibility. That's absolutely not 11 my domain. Just to clarify that. But --</p> <p>12 Q. Why do you say that it could make 13 us question credibility but should not --</p> <p>14 MR. WOOD: She didn't finish her 15 answer, Andy. Let her finish her answer.</p> <p>16 MR. GALLINARO: Okay. I'm sorry, I 17 didn't realize. Go ahead.</p> <p>18 MR. WOOD: She was still talking.</p> <p>19 THE WITNESS: I don't remember.</p> <p>20 Now I don't remember what -- you had -- 21 you had sort of framed the question by 22 saying assessing or training on 23 credibility, and you had asked me -- I 24 think there was a second part to that</p> | Page 85 |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|--|---|
| <p>1 question.</p> <p>2 BY MR. GALLINARO:</p> <p>3 Q. Sure. We'll try to retread that</p> <p>4 ground. You're providing a training here to</p> <p>5 adjudicators, and you're referencing a fact</p> <p>6 about trauma that you believe would not --</p> <p>7 should not affect someone's credibility.</p> <p>8 And my question to you was: In a</p> <p>9 situation where there was not cross claims</p> <p>10 between two students, where one student accused</p> <p>11 another student of sexual assault, that this</p> <p>12 training then, would only apply to the accuser</p> <p>13 because they're the ones who are potentially</p> <p>14 traumatized.</p> <p>15 A. I see. Right. Okay. I agree with</p> <p>16 that. I would say that, more or less, that if</p> <p>17 I'm talking about the trauma victims and that,</p> <p>18 in the case that is being, you know, heard,</p> <p>19 that if one of them is not claiming that and</p> <p>20 the other is, that we're talking about the</p> <p>21 person who is. That's what I'm referring to.</p> <p>22 Q. Okay. And do you agree with me</p> <p>23 that more often than not in Title IX</p> <p>24 proceedings, the accuser is a female?</p> | <p>Page 86</p> <p>1 something that actually happened to you than to</p> <p>2 keep straight something that you made up?</p> <p>3 MR. WOOD: Object to the form.</p> <p>4 THE WITNESS: I mean, again, I'm</p> <p>5 not, sort of, an expert in that, but I</p> <p>6 would say that most people in a common</p> <p>7 sense way would agree with that.</p> <p>8 BY MR. GALLINARO:</p> <p>9 Q. Okay. Do you agree with me that a</p> <p>10 more commonly understood method of determining</p> <p>11 whether someone is being truthful with you is</p> <p>12 whether they claim to remember more details of</p> <p>13 an event later in time than they did closer in</p> <p>14 time to the evident?</p> <p>15 MR. WOOD: Object to the form.</p> <p>16 THE WITNESS: I think I got tripped</p> <p>17 up on what you're saying which would be</p> <p>18 more credible if it was sooner or later.</p> <p>19 BY MR. GALLINARO:</p> <p>20 Q. I'll give you a -- I'll give you a</p> <p>21 hypothetical just to try to paint a clearer</p> <p>22 picture. If you asked me what did I have for</p> <p>23 breakfast this morning, and I said, you know, I</p> <p>24 can't -- honestly, that's weird, I can't</p> |
| <p>1 MR. WOOD: Object to the form.</p> <p>2 THE WITNESS: You know, I am not</p> <p>3 aware of all the claims that come before a</p> <p>4 Title IX Hearing Board. The general data</p> <p>5 nationally would support that there are</p> <p>6 more women who experience this.</p> <p>7 BY MR. GALLINARO:</p> <p>8 Q. Okay. Would you agree with me</p> <p>9 that -- let's sort of just step away from the</p> <p>10 Title IX setting and just --</p> <p>11 A. Okay.</p> <p>12 Q. -- sort of, the common sense.</p> <p>13 Would you agree with me that one of the more</p> <p>14 common sense or common understandings that</p> <p>15 people have if you're trying to assess</p> <p>16 someone's credibility is whether they're able</p> <p>17 to keep their stories straight?</p> <p>18 MR. WOOD: Object to the form.</p> <p>19 THE WITNESS: I would guess that</p> <p>20 most people would agree with that</p> <p>21 statement.</p> <p>22 BY MR. GALLINARO:</p> <p>23 Q. And that's generally because, would</p> <p>24 you agree, that it's easier to remember</p> | <p>Page 87</p> <p>1 remember. I don't remember what I had for</p> <p>2 breakfast this morning. And then we were</p> <p>3 having a conversation next month, and you said,</p> <p>4 do you remember what you had for breakfast on</p> <p>5 August 12, and I said you know, strangely</p> <p>6 enough, I do because it was such an incredible</p> <p>7 breakfast. It was a monumental breakfast that</p> <p>8 I had. I never had any other breakfast like</p> <p>9 that breakfast. It was the best breakfast I</p> <p>10 ever had. Wouldn't you question, well, you</p> <p>11 didn't remember it that day and now you're</p> <p>12 saying it's this monumental event a month</p> <p>13 later? Wouldn't you question whether that</p> <p>14 memory was accurate?</p> <p>15 A. I would want to know --</p> <p>16 MR. WOOD: Object to the form.</p> <p>17 THE WITNESS: I would want to know,</p> <p>18 yeah, what helped you remember it from the</p> <p>19 time -- you know, memory is this sort of</p> <p>20 thing that if you had remembered it later</p> <p>21 that day because of different triggers,</p> <p>22 you know, different areas of the brain</p> <p>23 really will remember or resonate, you</p> <p>24 know, with different things. If you</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | | |
|---|---------|---------|
| <p>1 smelled something later and say, ah, yes, 2 I remember that it was eggs. Now I 3 remember that. A month later with no 4 other sort of context that would have 5 helped you remember that, that doesn't 6 seem very credible.</p> <p>7 BY MR. GALLINARO:</p> <p>8 Q. Sure. So in most -- in most 9 contexts, without some sort of the external 10 assistance or triggering, you would agree with 11 me that people's memories don't generally 12 improve over time; you usually remember less 13 and less details of something over time?</p> <p>14 MR. WOOD: Object to the form.</p> <p>15 THE WITNESS: Yeah. I'm not sure 16 that I would go that far to say that 17 that's always true.</p> <p>18 BY MR. GALLINARO:</p> <p>19 Q. Just as a general matter, I'm not 20 saying always.</p> <p>21 MR. WOOD: Object to the form.</p> <p>22 BY MR. GALLINARO:</p> <p>23 Q. You wouldn't agree with that as a 24 general matter, our memories don't improve with</p> | Page 90 | Page 92 |
| <p>1 time?</p> <p>2 MR. WOOD: Object to the form.</p> <p>3 THE WITNESS: I mean, I guess I 4 just can't think of enough examples to say 5 that definitively but, you know, possibly 6 so.</p> <p>7 BY MR. GALLINARO:</p> <p>8 Q. Okay. And if you'll turn to page 9 693. Let me know when you're there.</p> <p>10 A. I am.</p> <p>11 Q. There's a bullet point there where 12 you continue on with reactions of someone who's 13 experienced trauma as an evolving narrative of 14 events.</p> <p>15 A. Yes.</p> <p>16 Q. I assume that means their 17 description of what happened to them changes 18 over time?</p> <p>19 A. Yes. That refers to, typically, 20 closer to the time of the event, not like 21 months down the road, and it has become 22 standard practice, or it is becoming, I should 23 say, with investigators. And this I remember 24 coming up in that training you referred to</p> | Page 91 | Page 93 |
| | | |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|---|---|
| <p>1 truthful that you and I just discussed?</p> <p>2 A. I'm certainly not asking them to</p> <p>3 give way to common sense, definitely not, but</p> <p>4 rather to point out that someone who has</p> <p>5 experienced trauma, that's not -- that's not</p> <p>6 something most people in a common sense way</p> <p>7 know about. I mean I don't think that the</p> <p>8 particularities that we know about trauma and</p> <p>9 the way it affects people is common sense. So</p> <p>10 I think it's to just sort of fill out that</p> <p>11 picture. And to recognize that it wouldn't be</p> <p>12 inconsistent, right, with how someone</p> <p>13 presented, not to say that something happened</p> <p>14 or didn't happen, but to say that it wouldn't</p> <p>15 be inconsistent if you saw these types of</p> <p>16 things.</p> <p>17 Q. Right. So you want adjudicators to</p> <p>18 understand that, although you might normally</p> <p>19 question someone who is unable to keep their</p> <p>20 stories straight, in an instance where someone</p> <p>21 has been traumatized, that is not necessarily</p> <p>22 an indicator that they're not being truthful?</p> <p>23 MR. WOOD: Object to form.</p> <p>24 THE WITNESS: I don't think it's so</p> | <p>Page 94</p> <p>1 an indication that they're a victim of trauma?</p> <p>2 MR. WOOD: Object to the form.</p> <p>3 THE WITNESS: Again, I'm not sure</p> <p>4 that I'm advising them. I don't know what</p> <p>5 they take from the presentations that I</p> <p>6 give. From a clinical perspective, I'm</p> <p>7 letting them know that some degree of</p> <p>8 inconsistency in that someone has filled</p> <p>9 in a gap later, would not necessarily mean</p> <p>10 that someone was being untruthful.</p> <p>11 BY MR. GALLINARO:</p> <p>12 Q. Well, when you say in your note</p> <p>13 here, "This can make us question credibility,</p> <p>14 but should not," is that something you think</p> <p>15 you stated during the presentation?</p> <p>16 MR. WOOD: Object to the form.</p> <p>17 THE WITNESS: I don't know that I</p> <p>18 read that. Again, I don't typically read</p> <p>19 from my notes. I'm someone who really</p> <p>20 likes to look up and make eye contact.</p> <p>21 Those are for me. I may or may not have</p> <p>22 said those words out loud, but I think</p> <p>23 that, yeah, it doesn't necessarily mean</p> <p>24 what the person said is not credible. I</p> |
| <p>1 much that they can't keep their story</p> <p>2 straight, but that from the time they</p> <p>3 first said something until questions that</p> <p>4 may have been asked of them later in the</p> <p>5 process, there could have been other</p> <p>6 details that were filled in. So, yes, I</p> <p>7 suppose I'm letting the panel members know</p> <p>8 that from a clinical perspective, from</p> <p>9 someone who is the treatment provider,</p> <p>10 someone who diagnoses and assesses, that</p> <p>11 that would not be inconsistent.</p> <p>12 BY MR. GALLINARO:</p> <p>13 Q. Well, there's statements that, you</p> <p>14 know, I think as you were referring to, that</p> <p>15 someone would make that were incomplete but</p> <p>16 they filled in later, and then there's your</p> <p>17 reference to inconsistent statements, which</p> <p>18 would mean they're saying something at one</p> <p>19 point that conflicts with something they said</p> <p>20 at a different point.</p> <p>21 So how is it that -- I mean, aren't</p> <p>22 you advising the panel members that you</p> <p>23 shouldn't hold it against someone if they're</p> <p>24 being inconsistent because that could just be</p> | <p>Page 95</p> <p>1 think you have to take into account the</p> <p>2 whole picture and all of the other</p> <p>3 factors.</p> <p>4 BY MR. GALLINARO:</p> <p>5 Q. So earlier when we were talking</p> <p>6 about how this would apply to accusers because</p> <p>7 they're the ones in the circumstance of being</p> <p>8 potentially traumatized. So would you agree</p> <p>9 with me that, in your training, adjudicators</p> <p>10 are taught to evaluate inconsistency in</p> <p>11 testimony differently depending on whether the</p> <p>12 person is an accuser or a respondent?</p> <p>13 A. I don't know how they're being</p> <p>14 trained to evaluate those two different pieces</p> <p>15 of information. I mean, I don't know how -- I</p> <p>16 don't know what other training they receive on</p> <p>17 what they would need from a respondent's point</p> <p>18 of view. I'm really there as the person</p> <p>19 talking, again clinically, what presentation</p> <p>20 would look like for someone who may have</p> <p>21 experienced a traumatic event.</p> <p>22 Q. All right. When you were -- when</p> <p>23 you provided this training, it was -- you</p> <p>24 co-trained it with Lauren Kozak, correct?</p> |

25 (Pages 94 - 97)

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|--|---|
| <p style="text-align: right;">Page 98</p> <p>1 A. I think maybe -- did it say that on 2 the calendar that you showed me in Exhibit-1? 3 Her name is not on this presentation that I'm 4 looking at here.</p> <p>5 Q. Yeah. It was in the, if you want 6 to look back, it's page 14 of Exhibit-1 --</p> <p>7 A. Okay.</p> <p>8 Q. -- as well as page 16 of 9 Exhibit-1 --</p> <p>10 A. Okay. Yeah, okay. We --</p> <p>11 Q. -- listed.</p> <p>12 A. So, okay. I don't know what 13 your -- sorry. So now I'm not sure what your 14 question was. Her name isn't on the 15 presentation itself.</p> <p>16 Q. Sure. Just that this is a 17 presentation that you provide during training 18 that's being presented where others are also 19 presenting information, correct?</p> <p>20 A. Correct, yes.</p> <p>21 Q. And one of those people was Lauren 22 Kozak?</p> <p>23 A. Yes.</p> <p>24 Q. Are you present or are you invited</p> | <p style="text-align: right;">Page 100</p> <p>1 I actually don't remember if I was present for 2 Lauren's portion.</p> <p>3 Q. Did you work with Lauren at all at 4 putting together a slide deck?</p> <p>5 A. Not that I recall.</p> <p>6 Q. If the content of this -- this 7 slide deck that we're looking at in Exhibit-8 8 was also in a slide deck of Lauren Kozak's for 9 the same training, do you have any 10 understanding as to how that would have 11 happened?</p> <p>12 A. Oh. Then, okay, we probably shared 13 it, but I don't -- I mean I just don't recall. 14 I wouldn't have not shared with her, you know, 15 the information that I was preparing or 16 planning to present. So I'm sure I shared it 17 with her.</p> <p>18 Q. Do you recall whether you 19 collaborated with her on what she would cover 20 and what you would cover in the training?</p> <p>21 A. I don't recall whether we 22 collaborated. My recollection is that she 23 would have been one of the people inviting me 24 to do a presentation. And she may have, sort</p> |
| <p style="text-align: right;">Page 99</p> <p>1 into the room to provide your portion and then 2 you're asked to leave the room when your 3 portion is done?</p> <p>4 A. Over the years in the different 5 presentations I've done, I've done both. There 6 are times where I have a conflict and I can't 7 stay, and I don't. There are times where I've 8 heard Lauren present. I honestly have no idea 9 if I was present that day for hers.</p> <p>10 Q. I'm just talking about these two 11 trainings in particular, because these are the 12 only two times you've ever trained the HSMB.</p> <p>13 A. Right.</p> <p>14 Q. All right. Do you recall, in the 15 only two times that you've trained the HSMB, 16 whether you were present for the entire 17 training or whether you only came in for your 18 portion and then left upon completing it?</p> <p>19 A. I definitely wasn't present for the 20 entire training. I feel like they were there 21 for a large part of the days and hours, and it 22 looked like even in the calendar you showed, 23 there were different presentations. So I was 24 certainly not there for the entirety. And, no,</p> | <p style="text-align: right;">Page 101</p> <p>1 of, then provided the scope for me of what she 2 was, you know, why she was asking me to come, 3 but I don't remember a collaboration, per se.</p> <p>4 Q. And you don't recall that her 5 portion of the training included a discussion 6 of how to assess credibility in general?</p> <p>7 MR. WOOD: Object to the form.</p> <p>8 THE WITNESS: I don't recall.</p> <p>9 BY MR. GALLINARO:</p> <p>10 Q. When you talk about the impact of 11 trauma and how it can affect credibility, is it 12 your position that if someone is inconsistent 13 or they're demonstrating an evolving narrative 14 that that adds to their credibility because it 15 reflects that they are likely the victim of 16 trauma, or are you suggesting that it just 17 shouldn't be a negative?</p> <p>18 MR. WOOD: Object to the form.</p> <p>19 THE WITNESS: I'm not saying it 20 adds -- sorry. I'm not saying it adds to 21 the credibility, no. I'm saying it just 22 shouldn't be disregarded as -- it 23 shouldn't be disregarded.</p> <p>24</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|--|---|
| <p style="text-align: right;">Page 102</p> <p>1 BY MR. GALLINARO:</p> <p>2 Q. Okay. So it shouldn't detract from</p> <p>3 someone's credibility?</p> <p>4 MR. WOOD: Object to the form.</p> <p>5 THE WITNESS: That's -- that's what</p> <p>6 I would say, that I wouldn't think that it</p> <p>7 would detract from credibility.</p> <p>8 BY MR. GALLINARO:</p> <p>9 Q. Does your training include anything</p> <p>10 of a similar nature with regard to respondents?</p> <p>11 A. Training I've received or training</p> <p>12 I have provided?</p> <p>13 Q. Training that you would provide.</p> <p>14 Do you address any kind of similar concepts,</p> <p>15 for example, on behaviors you might normally</p> <p>16 think would make someone's story less credible</p> <p>17 but that, given the circumstance the person is</p> <p>18 in, we should not?</p> <p>19 A. Not exactly that. Although I think</p> <p>20 I have been asked on occasion by -- I can't say</p> <p>21 that it was at this presentation to the Hearing</p> <p>22 Board, right, but maybe from students, you</p> <p>23 know, how do you respond to a peer maybe who's</p> <p>24 come and said that they have been accused, you</p> | <p style="text-align: right;">Page 104</p> <p>1 natural reactions when someone has been</p> <p>2 accused, especially if they feel wrongly</p> <p>3 accused.</p> <p>4 Q. Would you -- would you agree with</p> <p>5 me that it could be traumatic to be falsely</p> <p>6 accused of rape?</p> <p>7 MR. WOOD: Object to the form.</p> <p>8 THE WITNESS: On the surface, I</p> <p>9 wouldn't necessarily believe that that</p> <p>10 would classify as a trauma, just the</p> <p>11 accusation.</p> <p>12 BY MR. GALLINARO:</p> <p>13 Q. Okay. If someone -- if someone</p> <p>14 were, and assume for me for purposes of these</p> <p>15 questions that it is a false allegation, a</p> <p>16 flagrantly false allegation against someone.</p> <p>17 A. Okay. I'll assume that it's a</p> <p>18 false allegation; that's what you're asking me</p> <p>19 to assume?</p> <p>20 Q. Yes.</p> <p>21 A. Okay.</p> <p>22 Q. If someone were falsely accused of</p> <p>23 rape and then were going to be put through, you</p> <p>24 know, a proceeding to determine whether that</p> |
| <p style="text-align: right;">Page 103</p> <p>1 know, and how do you support that person? And</p> <p>2 so I have answered questions about that. But I</p> <p>3 wouldn't say that I've -- I don't recall being</p> <p>4 part of a discussion or a presentation</p> <p>5 regarding credibility of someone who's been</p> <p>6 accused.</p> <p>7 Q. And if you'll look quickly at page</p> <p>8 694 of this slide deck in Exhibit-8, we see</p> <p>9 here a slide describing possible reactions of</p> <p>10 the respondent. Could you read those?</p> <p>11 A. Sure. "Scared, angry, confused,</p> <p>12 defensive, sad."</p> <p>13 Q. And there are no notes associated</p> <p>14 with this slide that discuss how any of that</p> <p>15 may impact on a respondent's credibility,</p> <p>16 correct?</p> <p>17 A. Correct.</p> <p>18 Q. Do you -- do you discuss that at</p> <p>19 all?</p> <p>20 A. Do I discuss what, the slide?</p> <p>21 Q. Whether any of these reactions in</p> <p>22 any way bear upon credibility of a respondent.</p> <p>23 A. I don't recall discussing it in</p> <p>24 terms of credibility, just that those would be</p> | <p style="text-align: right;">Page 105</p> <p>1 was true and there would be serious</p> <p>2 consequences if it were, do you think that that</p> <p>3 would be traumatic for the person that was</p> <p>4 falsely accused?</p> <p>5 MR. WOOD: Object to the form.</p> <p>6 THE WITNESS: It would be hard to</p> <p>7 say. You know, that's a diagnose -- I</p> <p>8 mean, trauma can be used as a formal</p> <p>9 diagnosis, right, in the form of Post</p> <p>10 Traumatic Stress Disorder, PTSD, or Acute</p> <p>11 Stress Disorder. So without, sort of,</p> <p>12 really knowing how all of that sort of</p> <p>13 played out for that particular person, I</p> <p>14 wouldn't be in a position to say that it</p> <p>15 would be a diagnosis for sure. Is it</p> <p>16 possible that that whole experience felt</p> <p>17 traumatic to an individual? Again,</p> <p>18 depending on all the particularities of</p> <p>19 that, I would say I guess that's possible.</p> <p>20 BY MR. GALLINARO:</p> <p>21 Q. But there's nothing in your</p> <p>22 training, at least that I can see, that would</p> <p>23 address the possible impact of the trauma of</p> <p>24 being falsely accused; am I correct?</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|---|--|
| Page 106 | Page 108 |
| <p>1 MR. WOOD: Object to the form.</p> <p>2 BY MR. GALLINARO:</p> <p>3 Q. You just don't address that topic</p> <p>4 in your training?</p> <p>5 A. I don't address that, correct.</p> <p>6 Q. Back on page 690, the Exhibit-8.</p> <p>7 A. Yes.</p> <p>8 Q. The very last note says, "The</p> <p>9 perp's story may seem more clear and less</p> <p>10 ambiguous possibly because it's true, dot, dot,</p> <p>11 dot." Why the trailing ellipsis at the end of</p> <p>12 that statement?</p> <p>13 A. Possibly because it's true. You</p> <p>14 know, I don't know anymore than that. I</p> <p>15 wouldn't want to say that their story is more</p> <p>16 clear and less ambiguous because it's not true.</p> <p>17 I don't know. It's possibly because it's true.</p> <p>18 That's one explanation for that. And, again,</p> <p>19 I'm not really -- I wasn't really focusing the</p> <p>20 training on the experiences of the respondent.</p> <p>21 That wasn't like the thrust of the</p> <p>22 presentation.</p> <p>23 Q. Do you refer to the respondent as a</p> <p>24 perpetrator?</p> | <p>1 BY MR. GALLINARO:</p> <p>2 Q. Sure. Your training, according to</p> <p>3 this note, is that someone who is possibly a</p> <p>4 perpetrator, may, nevertheless, still seem more</p> <p>5 clear and less ambiguous than the victim?</p> <p>6 A. I mean, yes, saying --</p> <p>7 MR. WOOD: Object to the form.</p> <p>8 THE WITNESS: I'm saying that it</p> <p>9 could be, given the above, right, given</p> <p>10 that some -- someone who's experienced</p> <p>11 trauma may have incomplete information to</p> <p>12 report based on the trauma itself and the</p> <p>13 way the brain processes, et cetera, that</p> <p>14 we talked about before, it may in contrast</p> <p>15 seem like a respondent's story is more</p> <p>16 clear and sort of less ambiguous or more</p> <p>17 consistent. I'm not saying that that's</p> <p>18 always the case. I'm saying that may be</p> <p>19 true especially in contrast to the above.</p> <p>20 BY MR. GALLINARO:</p> <p>21 Q. Okay. So just to sort of be clear</p> <p>22 about the way that we're addressing how we</p> <p>23 evaluate accusers and respondents, according to</p> <p>24 your training, accusers should be given a</p> |
| Page 107 | Page 109 |
| <p>1 A. Not in the presentation.</p> <p>2 Q. So the note, you wouldn't have</p> <p>3 repeated the phrase "perp"?</p> <p>4 A. Very unlikely.</p> <p>5 Q. Okay. And that would -- why would</p> <p>6 that be? Why would it be unlikely that you</p> <p>7 would have repeated that?</p> <p>8 A. I'm usually pretty careful about</p> <p>9 how I'm going to characterize people. I think</p> <p>10 even over time, I have removed words like</p> <p>11 victim from my presentations and just talk</p> <p>12 about what people experience, rather than like</p> <p>13 a label. And I don't think perpetrator is</p> <p>14 usually -- implies a determination that I don't</p> <p>15 know to be true. It's just not language that I</p> <p>16 would typically use when I'm giving a</p> <p>17 presentation or talking about it.</p> <p>18 Q. And someone who's potentially a</p> <p>19 perpetrator, it's your training that their</p> <p>20 story, nevertheless, may seem more clear and</p> <p>21 less ambiguous than the victim's; is that</p> <p>22 correct?</p> <p>23 MR. WOOD: Object to the form.</p> <p>24 THE WITNESS: Can you repeat that?</p> | <p>1 little latitude for incomplete, inconsistent</p> <p>2 and evolving stories, but respondents should be</p> <p>3 viewed with suspicion even if their stories are</p> <p>4 more clear and less ambiguous?</p> <p>5 A. I do not believe --</p> <p>6 MR. WOOD: Object to the form.</p> <p>7 THE WITNESS: I don't believe</p> <p>8 that's what I'm saying.</p> <p>9 BY MR. GALLINARO:</p> <p>10 Q. Okay. Do you believe that the</p> <p>11 training we've been discussing about how trauma</p> <p>12 impacts an accuser's ability to recall events,</p> <p>13 things of that nature that we've just been</p> <p>14 discussing, do you believe that represents the</p> <p>15 current understanding of trauma within your</p> <p>16 field?</p> <p>17 MR. WOOD: Object to the form.</p> <p>18 THE WITNESS: My most recent review</p> <p>19 of, sort of, the field and the literature</p> <p>20 in that would say that this is largely</p> <p>21 consistent currently.</p> <p>22 BY MR. GALLINARO:</p> <p>23 Q. Any aspect of it that you feel is</p> <p>24 not consistent?</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | | | |
|---|----------|---|----------|
| <p>1 A. I mean, again, I couldn't say 2 definitively. I have not looked at that 3 research -- I don't remember when the last time 4 was. Nothing that is jumping out at me that I 5 would say seems inconsistent.</p> | Page 110 | <p>1 people who are recognized as having -- 2 A. I see. 3 Q. -- expertise in that subject 4 matter.</p> | Page 112 |
| <p>6 MR. GALLINARO: I'm going to change 7 topics now, and I think we've been going 8 for about another hour so good time for a 9 rest? Why don't we take about ten minutes 10 this time?</p> | | <p>5 A. I'm sorry. Okay. So I was 6 referring just to sexual misconduct and all the 7 presentations I do on that topic. Trauma 8 specifically, I suppose -- I guess -- I don't 9 think I know of anyone else at the university 10 who's been asked -- who works at the university 11 who's been asked to speak on that.</p> | |
| <p>12 --- 13 (A short recess was taken.) 14 ---</p> | | <p>12 Q. We discussed earlier that your 13 practice is exclusively devoted to students; is 14 that correct?</p> | |
| <p>14 BY MR. GALLINARO: 15 Q. All right. Before the break, we 16 were going over your slide deck on the 17 presentation that you gave to the HSMB, and we 18 were talking generally about common sense ways 19 people view credibility and then comparing it 20 to some of the materials that you present on.</p> | | <p>15 A. At Washington and Lee, yes, that's 16 correct.</p> | |
| <p>21 And is it your view that the 22 subject matter of trauma and how it can impact 23 a person is generally not within lay people's 24 common understanding?</p> | | <p>17 Q. And you don't have any additional 18 private practice going on; this is your 19 full-time gig, right?</p> | |
| | | <p>20 A. That's correct.</p> | |
| <p>21 Q. Okay. Excluding the current, you 22 know, moment where I'm assuming you're not 23 seeing any students, during a typical semester, 24 how frequently are you meeting the students?</p> | | | |
| <p>1 MR. WOOD: Object to the form.</p> | Page 111 | <p>1 A. I mean every day, five days a week 2 that I'm in the office.</p> | |
| <p>2 THE WITNESS: I mean, I don't -- I 3 don't know what lay people know, but I 4 don't know that the everyday person has an 5 understanding of trauma.</p> | | <p>3 Q. Okay. So it's a -- it's a busy 4 practice that you have despite the fact that 5 it's limited to a small population of students?</p> | |
| <p>6 BY MR. GALLINARO:</p> | | <p>6 A. Yes.</p> | |
| <p>7 Q. Okay. And as we discussed, you 8 feel that you have expertise in that area, and 9 that's why you're invited to speak to the 10 various organizations you do, including the 11 HSMB; is that correct?</p> | | <p>7 Q. And it's busy enough where you feel 8 that you see students almost every day, if not 9 every day?</p> | |
| <p>12 A. I don't know if other people regard 13 me as an expert or not. I do know that I'm 14 invited and I'm among the people who are 15 believed to have some background and training 16 on this topic, and that's why I'm invited.</p> | | <p>10 A. Yes.</p> | |
| <p>17 Q. And who are the other people that 18 are invited to speak on that topic?</p> | | <p>11 Q. Okay. I want to turn now to the 12 letter that you prepared for [REDACTED] and 13 that's at Exhibit-10.</p> | |
| <p>19 A. Well, on the broad topic, Lauren 20 Kozak often presents to these same groups that 21 I do.</p> | | <p>14 A. Okay. Exhibit-10, oh, I see.</p> | |
| <p>22 Q. Okay. But just referring to 23 trauma. I thought I understood you to say, 24 with regard to that topic, you're among other</p> | | <p>15 Okay. I have it.</p> | |
| | | <p>16 ---</p> | |
| | | <p>17 (Whereupon the document was marked, 18 for identification purposes, as 19 Exhibit-10.)</p> | |
| | | <p>20 ---</p> | |
| | | <p>21 BY MR. GALLINARO:</p> | |
| | | <p>22 Q. Okay. And I'm sorry, earlier when</p> | |
| | | <p>23 I said that you see students almost every day,</p> | |
| | | <p>24 I think we both understood I didn't mean you</p> | |

29 (Pages 110 - 113)

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | | | |
|---|----------|--|----------|
| <p>1 just see them around, like they see you for 2 counseling, correct?</p> <p>3 A. I see students for appointments 4 every day when we're in session for classes.</p> <p>5 Q. Okay. All right. So this letter 6 you submitted on behalf of [REDACTED] in the 7 first sentence, you mention that you first met 8 with her on March 24th, 2017, and that she was 9 referred to you for counseling by Lauren Kozak, 10 and then you say, "We have met on two 11 occasions"; is that correct?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. During the two meetings that 14 you had with her, did you take notes?</p> <p>15 A. Yes.</p> <p>16 Q. Do your notes of those meetings 17 still exist?</p> <p>18 A. Yes.</p> <p>19 Q. I'd ask you to, please, make sure 20 that those are preserved as we will likely be 21 requesting them from counsel.</p> <p>22 A. Okay.</p> <p>23 Q. I want to see if we can just 24 establish, as best we can, a timeline for the</p> | Page 114 | <p>1 Q. Okay. Did they -- were they, sort 2 of, consistent with your normal -- I mean do 3 you have a normal length of session if someone 4 is coming to see you? Do you have an 5 appointment --</p> <p>6 A. Yes.</p> <p>7 Q. -- time window?</p> <p>8 A. Sure.</p> <p>9 Q. What would the typical time window 10 be for an appointment?</p> <p>11 A. It typically would be between 45 12 minutes to an hour.</p> <p>13 Q. Okay. Do you have any reason to 14 believe that meetings with her wouldn't have 15 been consistent with that?</p> <p>16 A. No.</p> <p>17 Q. Did you review your notes of the 18 meetings you had with her in preparation for 19 your deposition?</p> <p>20 A. No.</p> <p>21 Q. When's the last time you looked at 22 them, if you can recall?</p> <p>23 A. I have no idea. I mean it's been a 24 long time.</p> | Page 116 |
| <p>1 two meetings. You state in here the first 2 meeting was on March 24th?</p> <p>3 A. Okay.</p> <p>4 Q. The letter is dated April 13th. So 5 do you know when between the first meeting and 6 the letter you saw her for the second time?</p> <p>7 A. I have no idea.</p> <p>8 Q. Okay. She had reached out to you 9 to ask you to prepare this letter.</p> <p>10 Did you see her the second time as 11 a result of that request or had you already 12 seen her and were able to prepare this letter 13 based on the two times you had already seen 14 her?</p> <p>15 A. I don't recall.</p> <p>16 Q. Okay. About how long was each 17 meeting with her?</p> <p>18 A. I don't recall without looking at 19 my notes.</p> <p>20 Q. Okay. Do you have those available 21 to you?</p> <p>22 A. Right now?</p> <p>23 Q. Yeah.</p> <p>24 A. No.</p> | Page 115 | <p>1 Q. Would you have had any reason to 2 look at them again after you prepared this 3 letter?</p> <p>4 A. After I had prepared the letter, 5 they would have been in her chart and that was 6 an active chart.</p> <p>7 Q. So did you continue seeing her for 8 counseling after this date of this letter?</p> <p>9 A. I did.</p> <p>10 Q. Okay. And you have notes of those 11 meetings as well?</p> <p>12 A. Yes.</p> <p>13 Q. About how long did you continue 14 seeing her?</p> <p>15 A. I really don't recall the duration 16 or frequency of our time together after these 17 two visits.</p> <p>18 Q. Did she continue to see you for the 19 duration of her time at Washington and Lee, or 20 did there come a time where she was still a 21 student but no longer in counseling with you?</p> <p>22 A. I, honestly, don't recall.</p> <p>23 Q. Okay. When you met with her for 24 your counseling sessions, did you -- do you</p> | Page 117 |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|--|---|
| <p>1 conduct any type of physical examination?</p> <p>2 A. No.</p> <p>3 Q. Do you review her health history to</p> <p>4 determine whether she has any preexisting</p> <p>5 medical condition that might explain some of</p> <p>6 the symptoms she's presenting with?</p> <p>7 A. Just her self-report.</p> <p>8 Q. So no -- you don't solicit from any</p> <p>9 other healthcare provider her file or get notes</p> <p>10 of any other medical provider?</p> <p>11 A. I had not done that in this case,</p> <p>12 no.</p> <p>13 Q. Were you aware at the time that you</p> <p>14 were treating her that she had previously been</p> <p>15 diagnosed with an anxiety disorder and had been</p> <p>16 prescribed Lexapro?</p> <p>17 MR. WOOD: Object to the form.</p> <p>18 THE WITNESS: I don't remember if</p> <p>19 or when I knew that information.</p> <p>20 BY MR. GALLINARO:</p> <p>21 Q. Okay.</p> <p>22 A. I just don't remember. I mean it's</p> <p>23 possible that I had that, but I don't recall.</p> <p>24 Q. You just don't know one way or the</p> | <p>Page 118</p> <p>1 for [REDACTED]</p> <p>2 A. I mean it was initial as well as</p> <p>3 confirmed to the best of my ability with the</p> <p>4 information that I had at the time.</p> <p>5 Q. Okay. You'll see at the top that</p> <p>6 it says, "Verification of psychological</p> <p>7 condition." Is that something other than a</p> <p>8 diagnosis?</p> <p>9 A. No. It's a diagnosis.</p> <p>10 Q. Okay. If you could flip back to,</p> <p>11 we skipped over an exhibit, Exhibit-9.</p> <p>12 A. Okay.</p> <p>13 - - -</p> <p>14 (Whereupon the document was marked,</p> <p>15 for identification purposes, as</p> <p>16 Exhibit-9.)</p> <p>17 - - -</p> <p>18 BY MR. GALLINARO:</p> <p>19 Q. Just let me know when you've had a</p> <p>20 moment to look at that.</p> <p>21 A. Look at that? Okay. Yeah. Okay.</p> <p>22 I've looked at that.</p> <p>23 Q. Okay. And I'll represent to you</p> <p>24 this is an email that you received from [REDACTED]</p> |
| <p>1 other?</p> <p>2 A. Correct.</p> <p>3 Q. And do you believe that two</p> <p>4 45-minute to an hour sessions, without having</p> <p>5 an understanding of her full medical history,</p> <p>6 is sufficient to diagnose a mental disorder to</p> <p>7 a reasonable degree of professional certainty?</p> <p>8 MR. WOOD: Object to the form.</p> <p>9 THE WITNESS: Yes.</p> <p>10 BY MR. GALLINARO:</p> <p>11 Q. Is it typical that you'll arrive at</p> <p>12 a diagnosis for a patient after two sessions?</p> <p>13 A. Yes.</p> <p>14 Q. Does it usually take two sessions</p> <p>15 or can you do it in one?</p> <p>16 A. I think sometimes I have a good</p> <p>17 idea after one.</p> <p>18 Q. Okay. Does a diagnosis ever change</p> <p>19 based on continuing treatment?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. So is it -- is it an initial</p> <p>22 diagnosis or assessment, or is it a confirmed</p> <p>23 psychological diagnosis at the point of -- at</p> <p>24 the point in which you provided your opinion</p> | <p>Page 119</p> <p>1 [REDACTED] in response to a Discovery request we</p> <p>2 had made to her. And this is an email exchange</p> <p>3 between you and [REDACTED] on April 7th</p> <p>4 of 2017. Does that look accurate to you?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. And you can see on the first</p> <p>7 email, which is the last page, it says, on</p> <p>8 April 7th at 10:20 a.m., "Hi, Dr. Boller. I</p> <p>9 met with my hearing advisor yesterday and they</p> <p>10 suggested that I ask you for a letter that</p> <p>11 could be included in the investigation report.</p> <p>12 This letter would simply illustrate how you</p> <p>13 have seen this experience affect me. Please</p> <p>14 let me know as soon as possible if you are</p> <p>15 willing to do this."</p> <p>16 Do you see that?</p> <p>17 A. I do.</p> <p>18 Q. Okay. Do you recall her telling</p> <p>19 you that it was her advisor's idea that she get</p> <p>20 a letter from you?</p> <p>21 A. I mean I see it written here. I</p> <p>22 don't know that I would have recalled that if I</p> <p>23 hadn't been referring to this email.</p> <p>24 Q. Do you remember early in the</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|---|--|
| <p style="text-align: right;">Page 122</p> <p>1 deposition we discussed the scenario in which 2 someone might come to you at the prompting of 3 perhaps a lawyer or someone in an adversarial 4 proceeding and whether that might raise your 5 suspicion as to why they were coming to you? 6 Did you have any concern like that based on the 7 request she was giving you here?</p> <p>8 A. No.</p> <p>9 Q. Okay. Why not?</p> <p>10 A. Why wasn't I concerned or why 11 didn't I have suspicion?</p> <p>12 Q. Yeah. If she's asking you for 13 something that her advisor is suggesting would 14 be helpful for her case, why that wouldn't have 15 presented any issue for you.</p> <p>16 A. Because she's requesting that I 17 illustrate how the experience has affected her, 18 and that is something within my purview and 19 something that I felt able to provide.</p> <p>20 Q. Okay. Is there anything that you 21 could tell the panel that she couldn't tell 22 them directly about how the experience affected 23 her?</p> <p>24 MR. WOOD: Object to the form.</p> | <p style="text-align: right;">Page 124</p> <p>1 THE WITNESS: My own observations 2 of -- and my own sort of clinical opinion 3 of how that experience has affected her.</p> <p>4 BY MR. GALLINARO:</p> <p>5 Q. Was there anything that occurred 6 between her request on April 7th for a letter 7 that would simply illustrate how the request 8 affected her and what you prepared as the 9 April 13th letter where it sort of evolved from 10 illustrating how the experience affected her to 11 you providing a verification of a psychological 12 condition? How did you go from one to the 13 other?</p> <p>14 MR. WOOD: Object to the form.</p> <p>15 THE WITNESS: I don't remember 16 anything happening in intervening that -- 17 I don't know that I see it as evolving, 18 but I -- I don't remember what, if 19 anything, happened between April 7th and 20 April -- was the date the 13th, when I 21 wrote the -- when I wrote the document. 22 I'm not sure anything happened at all. I 23 don't know.</p> <p>24</p> |
| <p style="text-align: right;">Page 123</p> <p>1 THE WITNESS: I don't know. I 2 don't feel like I'm in a position to say 3 that -- I don't know.</p> <p>4 BY MR. GALLINARO:</p> <p>5 Q. Well, do you know anything about 6 [REDACTED] other than what she's told you?</p> <p>7 A. No.</p> <p>8 Q. Okay. So if she thinks it would be 9 helpful for you to submit a letter to explain 10 to the board how the experience affected her, 11 is there any reason why she wouldn't be able to 12 just provide that information directly instead 13 of through you?</p> <p>14 MR. WOOD: Object to the form.</p> <p>15 THE WITNESS: I assume that she 16 could also tell them herself.</p> <p>17 BY MR. GALLINARO:</p> <p>18 Q. Okay. So what was your 19 understanding at this time, when she is asking 20 you to just sort of reiterate what she's 21 already told you about how the experience 22 affected her, about what you would be providing 23 in response to this request?</p> <p>24 MR. WOOD: Object to the form.</p> | <p style="text-align: right;">Page 125</p> <p>1 BY MR. GALLINARO:</p> <p>2 Q. Did you discuss with either her or 3 her advisors what the content of the letter 4 would be in any more detail than what we see 5 here in Exhibit-9?</p> <p>6 A. I don't recall any contact with her 7 advisors, and I don't recall talking 8 specifically with [REDACTED] about that or not.</p> <p>9 Q. Does seeing this email on April 7th 10 refreshing your recollection in any way as to 11 whether you would have had to see her for the 12 second time in order to prepare that letter or 13 whether you had already seen her by the time 14 you received this request?</p> <p>15 A. I, honestly, don't -- I don't know 16 if I had seen her the second time yet or not. 17 I just don't know.</p> <p>18 Q. Would that be reflected in your 19 notes, the date that you had seen her?</p> <p>20 A. Certainly.</p> <p>21 Q. Are you able to recall, without 22 access to your notes presently, whether she 23 reported the symptoms that you describe in your 24 letter in the first or second meeting?</p> |

32 (Pages 122 - 125)

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|---|--|
| <p style="text-align: right;">Page 126</p> <p>1 A. No. I don't know.</p> <p>2 Q. You have no sense of higher</p> <p>3 understanding of how the incident impacted her</p> <p>4 evolved from, you know, the first time you met</p> <p>5 her?</p> <p>6 A. Until the second?</p> <p>7 Q. Until the time you wrote the</p> <p>8 letter.</p> <p>9 A. Oh. Well, I would have felt that I</p> <p>10 had all the adequate information to be able to</p> <p>11 write the letter in order to write it. So,</p> <p>12 and, you know, in a first session, I'm</p> <p>13 certainly, you know, I'm a trained clinician,</p> <p>14 so I'm always, you know, listening and</p> <p>15 assessing. Whether I'm formulating a diagnosis</p> <p>16 or not, I'm really assessing, you know, the</p> <p>17 whole picture of someone's presentation that</p> <p>18 includes, you know, symptoms that are visible</p> <p>19 to me as well as symptoms that they may report.</p> <p>20 So all of that is happening in, certainly, in</p> <p>21 one session and would be just sort of either</p> <p>22 confirmed or elaborated upon if there had been</p> <p>23 a second session before I wrote the letter.</p> <p>24 Q. You'll see in the second paragraph</p> | <p style="text-align: right;">Page 128</p> <p>1 Q. If you were aware of the Project</p> <p>2 Horizon counselor, and I understand you don't</p> <p>3 recall whether you were, but if you were aware,</p> <p>4 would you have wanted to consult with that</p> <p>5 person before arriving at your diagnosis?</p> <p>6 MR. WOOD: Object to the form.</p> <p>7 THE WITNESS: I mean, I don't know.</p> <p>8 It appears that I did not consult with</p> <p>9 that counselor if I had been aware. It</p> <p>10 feels very hypothetical. I'm not sure.</p> <p>11 BY MR. GALLINARO:</p> <p>12 Q. Well, just sort of as a general</p> <p>13 matter then, if you see a student for</p> <p>14 counseling who is also treating with another</p> <p>15 counselor simultaneously, would you want to</p> <p>16 know what that counselor thought before you</p> <p>17 arrived at a diagnosis?</p> <p>18 MR. WOOD: Object to the form.</p> <p>19 THE WITNESS: Yeah. Again,</p> <p>20 hypothetically, possibly so. It really</p> <p>21 depends on the situation.</p> <p>22 BY MR. GALLINARO:</p> <p>23 Q. Give me an example of a situation</p> <p>24 where you would want to hear from the other</p> |
| <p style="text-align: right;">Page 127</p> <p>1 here, the last sentence it says, "█████ is</p> <p>2 working in counseling to develop and utilize</p> <p>3 coping strategies to reduce the likelihood of</p> <p>4 this outcome."</p> <p>5 Do you see that?</p> <p>6 A. Yes.</p> <p>7 Q. What counseling are you referring</p> <p>8 to?</p> <p>9 A. Counseling with me.</p> <p>10 Q. Okay. Were you aware at the time</p> <p>11 that she was also seeing a counselor from</p> <p>12 Project Horizon?</p> <p>13 MR. WOOD: Object to the form.</p> <p>14 THE WITNESS: I may have been aware</p> <p>15 of that at the time. I don't recall that</p> <p>16 right now.</p> <p>17 BY MR. GALLINARO:</p> <p>18 Q. If, in fact, that were the case, do</p> <p>19 you think that you may have been referring to</p> <p>20 that in this letter, or are you confident</p> <p>21 you're referring to your own counseling with</p> <p>22 her?</p> <p>23 A. No. If I was aware of that, I</p> <p>24 could have been referring to that as well.</p> | <p style="text-align: right;">Page 129</p> <p>1 counselor.</p> <p>2 MR. WOOD: Object to the form.</p> <p>3 THE WITNESS: If the student wanted</p> <p>4 me to.</p> <p>5 BY MR. GALLINARO:</p> <p>6 Q. Okay.</p> <p>7 A. I would certainly want to make that</p> <p>8 connection and make that contact. It's one</p> <p>9 example I could think of. I mean there could</p> <p>10 be, you know, a variety of reasons why I might</p> <p>11 want to. Again, it feels difficult to say</p> <p>12 hypothetically. It would really just be case</p> <p>13 by case and what seemed appropriate or called</p> <p>14 for in this situation.</p> <p>15 Q. I'm just trying to see if I can</p> <p>16 better understand what circumstances you would</p> <p>17 feel it appropriate to speak with another</p> <p>18 healthcare provider. I don't know if there's a</p> <p>19 better way to phrase it if you're not</p> <p>20 understanding it, but if you're treating with</p> <p>21 someone who you know is treating with someone</p> <p>22 else, is it part of your practice normally to</p> <p>23 want to understand and have the information</p> <p>24 regarding the other provider and what they're</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|---|--|
| <p>1 seeing and observing?</p> <p>2 MR. WOOD: Object to the form.</p> <p>3 THE WITNESS: I would say there are</p> <p>4 times that I have done that and times that</p> <p>5 I haven't. I wouldn't say either is</p> <p>6 necessarily standard for me. I think</p> <p>7 there are times that either have occurred.</p> <p>8 BY MR. GALLINARO:</p> <p>9 Q. Are there any -- are there any</p> <p>10 factors other than a student asking you to do</p> <p>11 that where you would assume that you would take</p> <p>12 that action?</p> <p>13 A. I don't know if I'd say there are</p> <p>14 any times I would assume that I would take that</p> <p>15 action. Again, just it being sort of case by</p> <p>16 case and that there would be a lot of factors</p> <p>17 that would weigh into that.</p> <p>18 Q. Yeah, and I'm just trying to get a</p> <p>19 sense of what those factors would be. So if</p> <p>20 you could give me any specific examples of what</p> <p>21 those factors would be that would weigh into</p> <p>22 that.</p> <p>23 A. So, again, not referring to</p> <p>24 anything specific or I'm not remembering any</p> | <p>Page 130</p> <p>1 say. I'm not saying that's all inclusive</p> <p>2 because I am, sort of, speaking, you know</p> <p>3 hypothetically and not referring to a</p> <p>4 particular situation, but those would be some</p> <p>5 of them.</p> <p>6 Q. Okay. One of them that you</p> <p>7 mentioned was if they were treating with the</p> <p>8 other professional for something similar or</p> <p>9 something completely different. If they were</p> <p>10 treating for something similar, would that make</p> <p>11 it more likely you would want to speak with</p> <p>12 them or less likely you would want to speak</p> <p>13 with them?</p> <p>14 A. I guess, again, it's just, I mean,</p> <p>15 possibly more likely. But it's, again, just a</p> <p>16 case-by-case situation or what I knew, when I</p> <p>17 knew it and how I -- how I understood that --</p> <p>18 that work to be and the type of person that</p> <p>19 they were working with. Yeah.</p> <p>20 Q. Okay.</p> <p>21 A. I just don't know how to be more</p> <p>22 specific than that.</p> <p>23 Q. Okay. You have relationships with</p> <p>24 the folks over at Project Horizon; is that</p> |
| <p>1 particular case, but it might be how long they</p> <p>2 knew the other person. It might be how long</p> <p>3 ago they had seen that person, if they plan to</p> <p>4 continue with that person, what they were --</p> <p>5 what was the purpose of that treatment, you</p> <p>6 know, was it coinciding with what I understood</p> <p>7 the person to be seeking treating with me for.</p> <p>8 Was it something completely separate?</p> <p>9 Q. If I could stop you there.</p> <p>10 A. Sure.</p> <p>11 MR. WOOD: You agreed at the top of</p> <p>12 this deposition that you and she would not</p> <p>13 interrupt one another, and now you're</p> <p>14 interrupting her. So I would ask you to</p> <p>15 let her finish her answer.</p> <p>16 MR. GALLINARO: I thought she was</p> <p>17 wrapping up, but there was something that</p> <p>18 she had just said I wanted to make sure I</p> <p>19 didn't lose track of.</p> <p>20 BY MR. GALLINARO:</p> <p>21 Q. But is there more factors you</p> <p>22 wanted to describe?</p> <p>23 A. I'm not sure. Just that those are,</p> <p>24 I guess, some examples, I guess, is all I would</p> | <p>Page 131</p> <p>1 right?</p> <p>2 A. I know some of them.</p> <p>3 Q. Okay. And they're involved in that</p> <p>4 Speak organization, I believe, that we</p> <p>5 discussed earlier?</p> <p>6 A. I don't know what you mean by</p> <p>7 involved. They have sometimes given</p> <p>8 presentations to that Speak group by the</p> <p>9 invitation of the Speak members.</p> <p>10 Q. Okay.</p> <p>11 A. I believe.</p> <p>12 Q. And do they provide -- do they have</p> <p>13 people in your position at Project Horizon:</p> <p>14 Psychologists, psychiatrists, mental healthcare</p> <p>15 providers?</p> <p>16 A. They typically have someone. I</p> <p>17 don't remember what that would have been at the</p> <p>18 time of this case that we're talking about</p> <p>19 in 2017. But my understanding, my</p> <p>20 recollection, is that the years that I have</p> <p>21 been aware of them as an organization, they</p> <p>22 have someone with the title of counselor.</p> <p>23 Again, I don't remember in 2017, but there have</p> <p>24 been times during my work at Washington and Lee</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|--|--|
| <p style="text-align: right;">Page 134</p> <p>1 when that counselor, the person with that 2 title, was not a licensed counselor, was not 3 someone with a license to practice counseling. 4 So it was more -- I'm not sure how to 5 characterize it. So it wasn't someone who was 6 able to diagnose, but someone more who would 7 have been able to provide support.</p> <p>8 Q. In your time treating students at 9 W&L, have you ever had occasion to consult with 10 Project Horizon over a student that you were 11 mutually providing mental health services to?</p> <p>12 A. I don't recall either that 13 situation coming up at all or a consultation in 14 that regard.</p> <p>15 Q. Okay. Once you completed this 16 letter in Exhibit-10, who did you send it to?</p> <p>17 A. I mean it appears it's written to 18 Mr. Jarrett, Cliff Jarrett, who was a member of 19 the HSMB.</p> <p>20 Q. Okay. Do you have any recollection 21 of whether you sent it directly to him or 22 whether you would have provided it to your 23 client to provide to the board, or whether you 24 submitted it to someone else?</p> | <p style="text-align: right;">Page 136</p> <p>1 you didn't consult with Lauren Kozak. Did you 2 consult with Jason Rodocker at all?</p> <p>3 A. I don't believe so.</p> <p>4 Q. Okay. Would you have consulted 5 with any of your colleagues at the Student 6 Health Counseling Center?</p> <p>7 A. Unlikely. I don't recall. I don't 8 believe so.</p> <p>9 Q. So is it your best recollection 10 that you prepared this on your own, having only 11 spoken with [REDACTED]</p> <p>12 A. I believe so.</p> <p>13 Q. Your opening paragraph, it provides 14 your opinion that [REDACTED] meets the diagnostic 15 criteria for Acute Stress Disorder.</p> <p>16 Do you see that?</p> <p>17 A. I do.</p> <p>18 Q. Okay. And I assume, based on some 19 testimony you gave earlier, that that would be 20 pursuant to the criteria that's set forth in 21 the DSM?</p> <p>22 A. Correct.</p> <p>23 Q. Do you know whether she had a 24 diagnosis from her other counselor that either</p> |
| <p style="text-align: right;">Page 135</p> <p>1 A. I really don't recall.</p> <p>2 Q. Do you remember discussing the 3 contents of the letter with Lauren Kozak before 4 you completed it?</p> <p>5 A. No.</p> <p>6 Q. Did you consult with her in any way 7 about the content of the letter before you --</p> <p>8 A. Did I --</p> <p>9 Q. Sorry -- before you turned it in, 10 right? Before it was done, did you consult 11 with Lauren Kozak at all about the letter?</p> <p>12 A. I don't believe so.</p> <p>13 Q. Did you consult with anyone from 14 the Title IX staff about the content of the 15 letter?</p> <p>16 A. I was interviewed after I had 17 written the letter by --</p> <p>18 Q. I'm just focusing --</p> <p>19 A. I was interviewed after.</p> <p>20 Q. I'm sorry. I'm just focusing on 21 the time period before. So for purposes of 22 these questions, it's before you turned it in. 23 Okay?</p> <p>24 So did you consult with -- you said</p> | <p style="text-align: right;">Page 137</p> <p>1 was the same or different?</p> <p>2 A. The other counselor being someone 3 from Project -- I don't know. I don't know.</p> <p>4 Q. Okay. I'm going to refer back and 5 forth between your letter and Exhibit-11, which 6 is a copy of the DSM5.</p> <p>7 Would this have been the version of 8 the DSM that you would have been following in 9 reaching your diagnosis?</p> <p>10 A. If this is the version that was up 11 to date in 2017. I haven't looked at the 12 publishing date. If that's the version, then 13 yes.</p> <p>14 ---</p> <p>15 (Whereupon the document was marked, 16 for identification purposes, as 17 Exhibit-11.)</p> <p>18 ---</p> <p>19 BY MR. GALLINARO:</p> <p>20 Q. Okay. First of all, I guess, do 21 you agree that [REDACTED] didn't claim to have 22 consciously experienced a traumatic event, 23 rather she claimed to have learned about it 24 after the fact? Do you recall that being the</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | | | |
|--|----------|--|----------|
| <p>1 case?</p> <p>2 A. I recall that she didn't remember</p> <p>3 aspects of the event.</p> <p>4 Q. Well, why don't we start this way.</p> <p>5 Why don't you tell me, as best you can recall,</p> <p>6 everything she told you about the event?</p> <p>7 A. Okay. Like I said, I haven't</p> <p>8 reviewed the chart since, so I am not going to</p> <p>9 remember very much, but that -- I mean I'm</p> <p>10 really not even sure that I can accurately</p> <p>11 reflect it without looking at my notes for this</p> <p>12 situation, to be honest with you.</p> <p>13 Q. Okay. Do you recall that she --</p> <p>14 that her claim was that the sexual penetration</p> <p>15 occurred while she was asleep, and she learned</p> <p>16 about it the next morning when she saw a condom</p> <p>17 on the floor --</p> <p>18 MR. WOOD: Object to the form.</p> <p>19 BY MR. GALLINARO:</p> <p>20 Q. -- and asked Mr. [REDACTED] about it?</p> <p>21 A. Yes. That is my recollection.</p> <p>22 Q. Okay. And so in a situation where</p> <p>23 someone is not either conscious or awake, do</p> <p>24 you consider those synonyms? When you're</p> | Page 138 | <p>1 was unconscious, or was it experiencing a</p> <p>2 sexual assault while she wasn't conscious?</p> <p>3 A. Are you referring to number one?</p> <p>4 Q. Yes.</p> <p>5 A. Yes. The traumatic event I'm</p> <p>6 referring to is the event of the sexual</p> <p>7 assault.</p> <p>8 Q. Okay. Which she wouldn't have</p> <p>9 known occurred without asking Mr. [REDACTED] about</p> <p>10 it.</p> <p>11 MR. WOOD: Object to the form.</p> <p>12 THE WITNESS: I mean, her body</p> <p>13 experienced this incident, so in some way</p> <p>14 she did know it occurred even if she did</p> <p>15 not recall.</p> <p>16 BY MR. GALLINARO:</p> <p>17 Q. Okay. I'm just trying to</p> <p>18 understand that. Like if we -- if -- does your</p> <p>19 body experience trauma, then, when you undergo</p> <p>20 surgery?</p> <p>21 A. I don't know. That's not my area.</p> <p>22 Some people might say yes.</p> <p>23 Q. Okay.</p> <p>24 A. But if someone is knocked</p> | Page 140 |
| <p>1 asleep are you conscious?</p> <p>2 A. I don't know medically. I would</p> <p>3 use those terms to mean the same thing.</p> <p>4 Q. Okay. Well, that's the -- I just</p> <p>5 want to have a shared understanding --</p> <p>6 A. Sure.</p> <p>7 Q. -- when I say she wasn't conscious,</p> <p>8 I'm referring to possibly being asleep.</p> <p>9 So if she were not conscious when</p> <p>10 the alleged sexual penetration occurred, how</p> <p>11 does that affect the way you're diagnosing her,</p> <p>12 if at all?</p> <p>13 A. So if you look at the criteria, you</p> <p>14 know, a lot of this would really still be</p> <p>15 applicable to how -- to the symptoms that she</p> <p>16 was experiencing as a result of that incident.</p> <p>17 Q. Okay. Well, so the diagnostic</p> <p>18 criteria -- well, let me back up.</p> <p>19 Turning back to your letter, you</p> <p>20 say in paragraph one, "Direct exposure to a</p> <p>21 traumatic event." And I guess I'm just trying</p> <p>22 to understand whether the traumatic event that</p> <p>23 she was directly exposed to was learning of the</p> <p>24 sexual assault because it happened while she</p> | Page 139 | <p>1 unconscious in an explosion and they don't</p> <p>2 recall it, I would very firmly say that they</p> <p>3 still experienced that trauma.</p> <p>4 Q. Sure. But if something is done to</p> <p>5 you while you're not conscious and aware that</p> <p>6 it's happening, your understanding is that can</p> <p>7 still be the traumatic event necessary to</p> <p>8 support an acute stress disorder diagnosis?</p> <p>9 A. Yes, like --</p> <p>10 MR. WOOD: Object to form.</p> <p>11 THE WITNESS: -- in the example I</p> <p>12 just gave. I'm sorry. Craig, I'm sorry.</p> <p>13 BY MR. GALLINARO:</p> <p>14 Q. Okay. Well, how about the example</p> <p>15 of someone who's unaware that they were</p> <p>16 sexually assaulted because they were</p> <p>17 unconscious; is that an additional example?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. I just wanted to be clear</p> <p>20 whether you were referring to the learning of</p> <p>21 it after the fact or the experience itself.</p> <p>22 So if you look over to the DSM, the</p> <p>23 diagnostic criteria in paragraph A refers to</p> <p>24 the exposure to actual or threatened death,</p> | Page 141 |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|---|---|
| <p style="text-align: right;">Page 142</p> <p>1 serious injury or sexual violation in any one 2 or more of the following ways. One is 3 "directly experiencing the traumatic event." 4 And would that be the one that you 5 believe is supported by her experience? 6 A. Yes. 7 Q. Okay. Your paragraph one -- I'm 8 sorry, I'm going to be flipping back and forth. 9 So in Exhibit-10, paragraph one, you said, 10 "Direct exposure to a traumatic event as 11 reported in the investigation report." 12 Did you have a copy of the 13 investigation report? 14 A. No. 15 Q. Okay. So what -- how is it that 16 you were referring to what was reported in it? 17 A. I'm referring to the fact that this 18 was already established for the hearing board, 19 that this was something that they had 20 information about from investigators. 21 Q. Okay. When you say that it was 22 established, do you mean that it was 23 established that it was her claim? 24 A. Yes. It was established in writing</p> | <p style="text-align: right;">Page 144</p> <p>1 where someone is coming to me with a 2 traumatic experience, I am accepting their 3 experience as told to me, and in this case 4 as already reported through the 5 investigators. 6 BY MR. GALLINARO: 7 Q. So you, as we discussed before, you 8 believe the patient when they tell you 9 something? 10 A. I do believe the patient when they 11 tell me something, and then there are the other 12 factors that I am assessing, which are, you 13 know, their presentation, including things that 14 are behavioral, nonverbal and whether those 15 would consistently match up with what they're 16 telling me in terms of a diagnosis. 17 Q. Okay. But as we said before, you 18 don't do any independent investigation of 19 whether their claim is true, correct? 20 A. I'm not investigator, that's true. 21 Q. And you didn't read the 22 investigation report, so you didn't know what 23 the respondent's version of the story was, 24 correct?</p> |
| <p style="text-align: right;">Page 143</p> <p>1 through trained investigators who took her 2 report. 3 Q. Okay. So she claimed to have 4 experienced the traumatic event, that's what 5 you're referring to? 6 MR. WOOD: Object to the form. 7 THE WITNESS: Yes. 8 BY MR. GALLINARO: 9 Q. Okay. So I guess if that forms -- 10 and that's required, right, you have to meet -- 11 in order to be diagnosed with acute stress 12 disorder, you have to, first, have been exposed 13 to a traumatic event before we start looking at 14 whether the remaining criteria are met, 15 correct? 16 A. Right. That's for A, Criteria A, 17 yes. The exposure is part of it. 18 Q. Okay. So would you agree with me 19 that you have to accept as a starting point the 20 truth of what the Title IX hearing is trying to 21 determine as an end point, which is whether or 22 not she was sexually assaulted. 23 MR. WOOD: Object to the form. 24 THE WITNESS: In most situations</p> | <p style="text-align: right;">Page 145</p> <p>1 A. Correct. 2 Q. You just accepted her claim that 3 she was exposed to a traumatic event, correct? 4 A. I was her counselor and therapy -- 5 you know, treating -- treatment provider, so 6 yes. 7 Q. And your concluding paragraph of 8 your letter, which reads, "In my professional 9 clinical opinion, [REDACTED] experienced a traumatic 10 event as she described when interviewed." 11 Just to be clear, so you're 12 referring to the sexual assault, correct? 13 A. Yes. 14 Q. Okay. So rather than a diagnosis, 15 you're concluding -- your conclusion as set 16 forth in this letter is that she was assaulted? 17 MR. WOOD: Object to the form. The 18 report speaks for itself. 19 BY MR. GALLINARO: 20 Q. Do you agree that your conclusion 21 is that [REDACTED] experienced a traumatic event? 22 A. My conclusion, yes, is that, in my 23 clinical opinion, that she experienced a 24 traumatic event based on, you know, all the</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|--|---|
| <p>1 other criteria and symptoms that are listed, 2 that may have been the traumatic event that she 3 described in the report. It could have been 4 something else, but that she met criteria for 5 that diagnosis based on my clinical 6 interpretation and observations and assessment 7 of her and what she reported to me.</p> <p>8 Q. But you didn't say it may have been 9 something else; you said that she experienced 10 the traumatic event as she described when 11 interviewed, referring to the investigation 12 report. So your conclusion was that she was 13 sexual assaulted by [REDACTED] correct?</p> <p>14 MR. WOOD: Object to the form.</p> <p>15 THE WITNESS: My conclusion is that 16 those would all be consistent.</p> <p>17 BY MR. GALLINARO:</p> <p>18 Q. I'm sorry, I didn't follow that. 19 Those would all be consistent with what?</p> <p>20 A. The experience of her trauma as she 21 described it when interviewed would be 22 consistent with her clinical presentation.</p> <p>23 Q. Okay. And based upon that, you 24 concluded that she experienced the traumatic</p> | <p>Page 146</p> <p>1 forensically. I'm not purporting that my 2 clinical opinion is set forth to answer policy 3 or legal questions. I was requested to provide 4 a letter that spoke to the experience as I 5 understood it from [REDACTED] and so I am providing 6 that clinical opinion.</p> <p>7 Q. Okay. And were you aware that the 8 board members that you were supplying this 9 letter to were people that you had trained in 10 2016 during those presentations that we 11 reviewed earlier in your deposition?</p> <p>12 MR. WOOD: Object to the form.</p> <p>13 THE WITNESS: I don't know if that 14 was on my mind or not.</p> <p>15 BY MR. GALLINARO:</p> <p>16 Q. Whether it was on your mind, do you 17 know if -- did you know at the time that those 18 were the individuals who would be receiving the 19 report?</p> <p>20 A. I probably knew some of them. I 21 didn't know the current composition, the entire 22 composition of the board.</p> <p>23 Q. Would you agree with me that when 24 two people dispute whether an event happened,</p> |
| <p>1 event, correct?</p> <p>2 A. Her symptoms would be consistent 3 with the traumatic event as she described it. 4 That's my -- that was my clinical opinion.</p> <p>5 Q. Okay. Well, you didn't say -- you 6 didn't say it would be consistent. You said 7 based on your professional clinical opinion, 8 she experienced a traumatic event. Did you 9 make a mistake?</p> <p>10 A. No. I'm saying that's my clinical, 11 professional opinion.</p> <p>12 Q. Okay. And, again, you hadn't 13 reviewed any of the evidence that was 14 available, correct?</p> <p>15 A. I wasn't privy to any of that 16 information.</p> <p>17 Q. And you're aware that you were 18 providing this letter with this opinion to the 19 board members who would be deciding the 20 responsibility of Mr. [REDACTED] in the disciplinary 21 proceeding, correct?</p> <p>22 A. I was aware of that, and my role is 23 not as a forensic professional. My role is as 24 a clinical professional. I'm not trained</p> | <p>Page 147</p> <p>1 you should typically hear from both sides 2 before you form an opinion as to whether that 3 event happened?</p> <p>4 MR. WOOD: Object to the form.</p> <p>5 THE WITNESS: Would I agree that 6 who should do that?</p> <p>7 BY MR. GALLINARO:</p> <p>8 Q. You. If you're going to --</p> <p>9 A. I'm not --</p> <p>10 Q. -- that an event happened, would 11 you first want to hear from the other side of 12 the case?</p> <p>13 MR. WOOD: Object to the form.</p> <p>14 THE WITNESS: I mean it's 15 hypothetical. That would be case by case, 16 but I'm usually working with one 17 individual in a clinical counseling 18 setting, and I'm not an investigator or a 19 member of a hearing board.</p> <p>20 BY MR. GALLINARO:</p> <p>21 Q. Okay. Looking back to the symptoms 22 that you've described here in paragraphs one -- 23 starting with paragraph number one, the 24 symptoms seem to track the language that's used</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|---|---|
| <p style="text-align: right;">Page 150</p> <p>1 in the DSM. Is that -- is that the way that 2 [REDACTED] described her symptoms to you or do you 3 sort of recast them based on your understanding 4 of the DSM?</p> <p>5 A. That would have been both her 6 report, my observations of her behavior and 7 affect, as well as, you know, the appropriate 8 clinical terms to use to describe experiences 9 that a student may be using, you know, lots of 10 different language to report. I wasn't quoting 11 her but summarizing the experiences.</p> <p>12 Q. Okay. I guess I'd like to kind of 13 go through each one and ask you which of these 14 you were able to personally observe. So were 15 you able to personally observe that she had 16 experienced recurrent involuntary and intrusive 17 memories?</p> <p>18 A. No. That would have been her 19 report.</p> <p>20 Q. Okay. Were you able to personally 21 observe that she had recurrent distressing 22 dreams?</p> <p>23 A. Nope. That would have been her 24 report.</p> | <p style="text-align: right;">Page 152</p> <p>1 avoided? 2 A. I don't. 3 Q. Did you check with -- you didn't 4 check with any of her friends to see if that 5 was consistent with what they were 6 experiencing, right? 7 A. That would be beyond the scope and 8 beyond the limits of my confidentiality with 9 her. 10 Q. Did you understand that one of the 11 places she would have wanted to avoid being was 12 near the fraternity house where the event 13 occurred? 14 A. I don't remember. 15 Q. You don't recall? Did you observe 16 paragraph number six, her sleep disturbances? 17 A. No. 18 Q. So, again, that's just her report? 19 A. Correct. 20 Q. Did you observe her hypervigilance? 21 A. That is something that could be 22 observable, again, without looking at my notes, 23 but that would be something that could be 24 observable in a clinical setting.</p> |
| <p style="text-align: right;">Page 151</p> <p>1 Q. Okay. Did you personally observe 2 her negative mood? 3 A. Yes. 4 Q. Okay. Describe that, what you 5 observed, if you can. 6 A. I would need to refer to my 7 clinical notes at the time to accurately use 8 the best words to describe that, but that would 9 have certainly been something that I observed 10 in her. 11 Q. Okay. Did you observe avoidance 12 symptoms? 13 A. Not necessarily. That depends. 14 Sometimes, again, I don't recall without seeing 15 my notes if that's something that was 16 observable or not. 17 Q. Okay. The paragraph five here that 18 says avoidance symptoms, it goes on to provide 19 a little bit more detail. It says, "[REDACTED] 20 avoids being alone, attempts to distract 21 herself from thoughts, and avoids particular 22 places on campus." 23 Do you know what places on campus? 24 Do you recall what places on campus she</p> | <p style="text-align: right;">Page 153</p> <p>1 Q. How would you observe if she were 2 hyperaware of her surroundings and making sure 3 she was aware of who was around and whether she 4 feels safe? 5 A. How would someone display those? 6 Q. Yes. 7 A. Because I don't recall what she 8 specifically did, so I just want to clarify 9 that. 10 Hypervigilance could look like, in 11 a clinical way, someone whose eyes are flitting 12 about, someone whose -- any sound that is made 13 in a room, that someone is having a -- let's 14 see, it could be a startle response. It could 15 also just be a response, you know, really 16 noticing any sounds or other people that may 17 be, you know, even in the periphery of their 18 view. Those are examples. 19 Q. Okay. And you just don't recall 20 whether you actually observed any of those 21 things with regard to [REDACTED] 22 A. I don't recall if part of that was 23 my observation, part of it was her report, or a 24 little bit of both.</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|---|--|
| <p>1 Q. With regard to the sleep 2 disturbance, did you ask her any questions 3 about whether she would have been taking 4 sleeping aids or anything in followup to her 5 report that she had experienced sleep 6 disturbance?</p> <p>7 A. Without my notes, I don't recall.</p> <p>8 Q. Okay. Paragraph eight, difficulty 9 concentrating, is that anything you were able 10 to observe?</p> <p>11 A. Again, I don't recall. That's 12 certainly something that can be observable for 13 a clinician. Are you able to concentrate when 14 I'm talking to you right now, you know, that is 15 something you can determine.</p> <p>16 Q. Okay. Could you walk me through 17 your method in determining that she has these 18 symptoms? How do you go about tracking what 19 she's reporting and arriving at the diagnosis?</p> <p>20 MR. WOOD: Just a clarification --</p> <p>21 THE WITNESS: Are you asking --</p> <p>22 MR. WOOD: Yeah. Are you asking in 23 this case or in general?</p> <p>24</p> | <p>Page 154</p> <p>1 maybe what is different now than it used to be 2 for them. So if they only recently experienced 3 depression, what was their -- how did they 4 experience life before that? What's been the 5 change? So those sorts of things.</p> <p>6 So I'm just trying to draw out as 7 much description from them as possible about 8 their functioning and their emotional 9 experiences, their cognitive experiences. That 10 would be my -- I can't say there's not 11 something I'm not thinking of, but those would 12 be, sort of, the typical ways that I might be 13 assessing someone who's presenting to me new 14 for the first time or early on.</p> <p>15 Q. In going through the questions, do 16 you have a checklist sort of or a cheat sheet 17 of things you should be asking about or is it 18 all upstairs?</p> <p>19 A. Typically, when I'm meeting someone 20 for the first time, I have a form, I guess, I 21 would use, with some prompts about their mental 22 status, their sleep. I'm not looking at it 23 right now. I can't think, but I -- typically, 24 I can't say for sure, again, that I used that</p> |
| <p>1 BY MR. GALLINARO:</p> <p>2 Q. I guess I'll start with in general.</p> <p>3 A. In general, I would be doing a lot 4 of listening to what the person is saying, 5 first and foremost, in terms of why they've 6 come and, you know, what they are -- what they 7 are here to talk about. And then I would be 8 asking a lot of questions possibly to determine 9 the different ways it's affecting somebody.</p> <p>10 Now these are questions that I would be asking 11 when I meet a person for the first time whether 12 it was sexual assault or not. So I'm going to 13 ask people about -- I'm going to ask them 14 about, you know, how they're doing in school, 15 you know, those sorts of things. So some of 16 them are going to be questions that I ask in 17 general when I'm assessing somebody. Asking 18 questions to get them to sort of describe more, 19 right, about their experiences and the 20 different ways.</p> <p>21 So I might not be asking about a 22 specific symptom, but rather sort of drawing 23 things out of them to tell me more about their 24 daily life, how things are going for them,</p> | <p>Page 155</p> <p>Page 157</p> <p>1 it in her case. I usually use something like 2 that that is prompting me to kind of, you know, 3 ask those questions. If I didn't have that in 4 front of me, you know, these are the types of 5 interviews that I've been doing for, you know, 6 my entire career starting with training, so you 7 know, there are things that come pretty readily 8 once you're building that rapport with someone 9 and kind of, you know, asking about, you know, 10 some pretty standard types of things.</p> <p>11 Q. We were just discussing your sort 12 of general practices. Is there any reason you 13 think in this case your interaction with █ 14 would have differed from your general practice?</p> <p>15 A. Not any reason that I can recall.</p> <p>16 Q. Okay. Are there particular 17 diagnoses that you're, sort of, more concerned 18 with when you're interviewing someone that's 19 reported they have been sexually assaulted? 20 Like are you, just to try to clarify what I 21 mean, are there a specific set of, like PTSD, 22 acute stress disorder, ones that are like right 23 there at the top of what you're expecting the 24 person to maybe experience, so you ask</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|--|---|
| <p style="text-align: right;">Page 158</p> <p>1 questions sort of geared towards whether 2 they're experiencing those symptoms? Does that 3 make sense?</p> <p>4 A. Yeah. Sure. I would be thinking 5 about those symptoms if someone -- if that was 6 what they came and presented with. Those would 7 be things I would be tuned into especially.</p> <p>8 Q. So what are the, sort of, the top, 9 you know, top-of-the-list conditions that you'd 10 be on the lookout for for someone who reported 11 as a -- that they had been sexually assaulted?</p> <p>12 A. So as you said, certainly, you 13 know, the possibility of a trauma diagnosis or 14 PTSD. You know, acute stress disorder and PTSD 15 are related to differences in the timing, 16 relation to the event and sort of the duration, 17 so I'd be paying attention to that, but I'd be 18 paying attention to mood generally. I'd be 19 paying attention to anxiety. Those can be -- 20 those can exist in a co-morbid way, right. 21 They can also be -- they can also be distinct 22 for some people. I'd be asking about, you 23 know, maybe substance abuse in some cases. 24 There are, you know, it's not that</p> | <p style="text-align: right;">Page 160</p> <p>1 them about each and every symptom of the acute 2 stress disorder or PTSD in your interviews to 3 see if they meet those diagnostic criteria?</p> <p>4 A. It depends.</p> <p>5 Q. Okay. Do you think you did that in 6 [REDACTED] case?</p> <p>7 A. I certainly wouldn't have reported 8 anything that I didn't feel I had either asked 9 about or that she had reported. So if it's -- 10 you know, based on the fact that I'm looking at 11 this letter and I'm reporting these things 12 then, I'm sure that it was covered in the 13 sessions that I had with her.</p> <p>14 Q. Okay. And I guess what I'm trying 15 to understand is, do you have to draw out 16 whether she's experiencing these things or is 17 she able to sort of tick off by just talking to 18 you, without you prompting her, each and every 19 one of these symptoms that you've reflected 20 here?</p> <p>21 A. It would be very unusual in my 22 experience that someone comes in and ticks off 23 a list of symptoms. So unusual I would almost 24 say that I don't know that I've really ever</p> |
| <p style="text-align: right;">Page 159</p> <p>1 I don't ask certain questions, but, yes, I 2 might be tuning in more to those things if 3 someone said they had an experience of an 4 assault or an abuse history.</p> <p>5 Q. Do you do anything to make sure 6 that you're not suggesting symptoms to your 7 patient?</p> <p>8 A. I mean, I am trying not to put 9 words in their mouth. I'm not interrogating 10 them. I'm not -- I'm not an investigator. So 11 I'm really just asking, tell me about your 12 sleep. Tell me about your mood. If they don't 13 know what I mean, I might say, well, is it more 14 like this or more like that, but I'm really 15 trying to let them tell me what they're 16 experiencing. And I would say, again, that's 17 my general practice, not with regards 18 specifically to someone who's reporting an 19 assault experience.</p> <p>20 Q. Okay. Would your practice be any 21 different for someone who had reported a sexual 22 assault experience?</p> <p>23 A. I don't think so.</p> <p>24 Q. Okay. Do you make sure you ask</p> | <p style="text-align: right;">Page 161</p> <p>1 experienced that. It's usually in the course 2 of conversation, of talking with them and, as 3 you said, drawing things out so that I can 4 better understand. Again, people don't come to 5 me on a mandate, so people are coming to me 6 asking for treatment or, you know, they may not 7 use that word, but asking for support, asking 8 for guidance or advice. And they are, you 9 know, often in distress about something that's 10 happened or uncomfortable with, you know, how 11 things are going for them. So, you know, it 12 becomes a, sort of a conversation of me trying 13 to really fully understand all of those things 14 for them and listening to them say what they 15 need to say as well as asking questions when I 16 feel I need more information.</p> <p>17 Q. Do you think or did you think it 18 was important to consider [REDACTED] motive in 19 obtaining a diagnosis from you when you 20 prepared it?</p> <p>21 A. I'm not seeing where [REDACTED] asked for 22 a diagnosis.</p> <p>23 Q. Well, she asked you for something, 24 right? She asked you for some kind of letter?</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | | |
|----|--|---|
| | Page 162 | Page 164 |
| 1 | A. Yes. | 1 report, is what the hearing advisors |
| 2 | Q. And you drafted this letter that | 2 recommended to her, so I guess to at least |
| 3 | we're reviewing in Exhibit-10, correct? | 3 be one piece in that investigation report. |
| 4 | A. Correct. | 4 BY MR. GALLINARO: |
| 5 | Q. So did you -- did you provide her | 5 Q. Well, it was your understanding |
| 6 | with a diagnosis without her asking you to do | 6 that this was to be used to help bolster her |
| 7 | that? | 7 claim in the Title IX proceeding. |
| 8 | MR. WOOD: Object to the form. She | 8 A. I don't know that I would say that |
| 9 | testified as to what she was requested | 9 that's exactly what I was thinking. I think |
| 10 | already. | 10 that she asked for me to do something, and I |
| 11 | THE WITNESS: I mean, [REDACTED] asked | 11 was doing it to really support her. I don't |
| 12 | for me to ex -- the letter would | 12 know what I thought or how it would be viewed |
| 13 | illustrate how I had seen the experience | 13 or weighted or regarded. I was really doing it |
| 14 | affect her, and I don't recall my exact | 14 because she asked. |
| 15 | thinking process, but one way for me to | 15 Q. Okay. But you wrote it to the |
| 16 | illustrate that as a professional is to | 16 chair of the hearing board, so you had an |
| 17 | provide that in the form of, you know, an | 17 understanding of what you were doing, right? |
| 18 | official, sort of, clinical assessment. | 18 You were providing this to the board members. |
| 19 | BY MR. GALLINARO: | 19 But is it your testimony that you |
| 20 | Q. So it was your idea to provide it | 20 didn't understand what the purpose of that |
| 21 | in the form of a diagnosis as opposed to just | 21 would then be used for? |
| 22 | relaying what she had experienced? | 22 A. I don't know how -- |
| 23 | A. I don't recall being asked to | 23 MR. WOOD: Object to the form. |
| 24 | provide it in the form of a diagnosis from | 24 THE WITNESS: Sorry. I don't know |
| | Page 163 | Page 165 |
| 1 | anyone else. | 1 how they would weight that or view that. |
| 2 | Q. So given that's the case then, it | 2 I don't know what else, as you asked |
| 3 | would have been your decision to do that? | 3 before, I didn't see any other aspects of |
| 4 | A. I think so. | 4 the report. I really just viewed it as |
| 5 | Q. Okay. You understood that | 5 one piece that represented my clinical |
| 6 | [REDACTED] -- the reason for [REDACTED] request was to | 6 impressions. |
| 7 | help influence the outcome of her disciplinary | 7 BY MR. GALLINARO: |
| 8 | proceeding? | 8 Q. Do you think it would be a piece |
| 9 | MR. WOOD: Object to the form. | 9 that would support her case, undermine her case |
| 10 | THE WITNESS: She said that her | 10 or be detrimental to her case? |
| 11 | hearing advisor said it would be helpful, | 11 MR. WOOD: Object to the form. |
| 12 | I believe, is what the email says. | 12 THE WITNESS: I think it was |
| 13 | BY MR. GALLINARO: | 13 consistent with what her claim was. |
| 14 | Q. This wasn't in furtherance of her | 14 BY MR. GALLINARO: |
| 15 | treatment, right? This wasn't in furtherance | 15 Q. If you flip back to the DSM, there |
| 16 | of the counseling you were providing her; this | 16 is a section amongst the criteria that says |
| 17 | was for a different purpose. This was to | 17 have to be met that include "associative |
| 18 | influence the outcome of her disciplinary | 18 symptoms." Do you see that? And that's on |
| 19 | proceeding, correct? | 19 page 281 of Exhibit-11. |
| 20 | MR. WOOD: Object to the form. | 20 A. Yes. I do see that. |
| 21 | THE WITNESS: I mean I think that's | 21 Q. Okay. And associative symptoms |
| 22 | assuming what she was thinking, which I | 22 include "inability to remember an important |
| 23 | don't know, but it says a letter that | 23 aspect of a traumatic event," correct? |
| 24 | could be included in her investigation | 24 A. It says that, yes. |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|--|---|
| <p style="text-align: right;">Page 166</p> <p>1 Q. Okay. And you did not include that 2 in your diagnosis, correct? 3 A. It doesn't appear so in my letter. 4 Q. Okay. And so because it's not in 5 your letter, would I be correct in concluding 6 you did not ascribe her inability to remember 7 the sexual intercourse with any kind of amnesia 8 or memory issues related to trauma? 9 A. I'm not sure I understand your 10 question -- 11 Q. Okay. 12 A. -- exactly the way -- I'm just not 13 sure how... 14 Q. I'll try to rephrase it. 15 There's an aspect of acute stress 16 disorder that falls under the category of 17 associative symptoms which -- 18 A. Right. 19 Q. -- references an inability to 20 remember part of the traumatic event or aspects 21 of the traumatic event. 22 You did not include that in your 23 diagnosis of [REDACTED] 24 A. Right.</p> | <p style="text-align: right;">Page 168</p> <p>1 correct? 2 A. I mean, I just don't remember 3 weighing it in that particular way to say that 4 I agree with the statement as you just put it. 5 But you are asking, you know, what did I think, 6 and to the best of my ability, I don't remember 7 it being, sort of, clear why -- or that I had 8 an opinion as to why she couldn't remember. 9 Q. Okay. Flipping back to the DSM, 10 just to kind of walk through how you meet the 11 criteria here, under paragraph A, you first 12 have to be -- you first have to have 13 experienced trauma, right? 14 A. Correct. 15 Q. And B was, assuming you've 16 experienced a trauma, then you need to 17 experience nine or more of the following 18 symptoms, correct? 19 A. Yes. 20 Q. Okay. Your letter, if we look back 21 at it now, includes as paragraph one, "direct 22 exposure to the traumatic event." So that's 23 paragraph A of the DSM, correct? 24 A. Yes.</p> |
| <p style="text-align: right;">Page 167</p> <p>1 Q. So what I'm asking is if, is it 2 fair for me to then conclude that you don't 3 believe that the reason she can't remember the 4 sexual assault is because she was traumatized? 5 That's not the conclusion you reached. 6 A. I mean I can't say that for sure. 7 I agree that it wasn't one of the things that I 8 listed that -- that met the criteria for the 9 trauma diagnosis. I guess I can't say 10 definitively that that means I ruled out every 11 single other thing on this list. 12 Q. Okay. 13 A. I just can't say for sure that I 14 hadn't ruled out anything that wasn't there, 15 but that the ones that I put were things that I 16 felt were salient to me at the time based on my 17 interview and meetings with her. 18 Q. Did you form any opinions as to why 19 she was unable to remember the traumatic event? 20 A. I don't think it was clear a 21 hundred percent. 22 Q. Okay. So because it wasn't clear 23 to you, you couldn't form an opinion to a 24 reasonable degree of professional certainty,</p> | <p style="text-align: right;">Page 169</p> <p>1 Q. Okay. And then B, we now have to 2 find nine symptoms, and in your letter, would 3 you agree with me, that paragraph number nine 4 and ten are not the symptoms that are listed 5 under B? 6 A. Let me just clarify. Let me look 7 at that for one second. 8 Q. Sure. 9 A. Correct. Yes, I agree. 10 Q. Okay. So excluding one and nine 11 and ten, we only have seven symptoms, and the 12 DSM requires nine. 13 Do you agree that you haven't 14 actually listed criteria that supports the 15 diagnosis you provided? 16 A. No. I don't agree. 17 Q. Okay. Well, where are the other 18 symptoms that are required? You need nine; do 19 you agree? 20 A. Well, since none of these are, like 21 in categories, and so there could be more than 22 one in any of those categories. I'm just 23 looking at this to pull out an example if I 24 can. Let me see.</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|---|---|
| <p style="text-align: right;">Page 170</p> <p>1 Q. Okay.</p> <p>2 A. Okay. So, for example, under</p> <p>3 Avoidance, that's number five for me, and say</p> <p>4 there were avoidance symptoms. But if you look</p> <p>5 at avoidance in the DSM on page 281, there are</p> <p>6 two separate ways that that can be manifested.</p> <p>7 So in my bullet point number five, I include</p> <p>8 both of those types. Do you see what I'm</p> <p>9 saying?</p> <p>10 Q. I do. And the DSM goes on to</p> <p>11 require, once you've met those, you've ticked</p> <p>12 off nine of the symptoms of the 14 that are</p> <p>13 listed, you also have to satisfy a duration</p> <p>14 which you address, I believe, in paragraph ten,</p> <p>15 correct?</p> <p>16 A. Yes. I think so.</p> <p>17 Q. Okay.</p> <p>18 A. Yes. Right.</p> <p>19 Q. Okay. And then paragraph D says,</p> <p>20 "The disturbance causes clinically significant</p> <p>21 distress or impairment in social, occupational</p> <p>22 or other important areas of functioning."</p> <p>23 Can you tell me where your letter</p> <p>24 addresses that requirement?</p> | <p style="text-align: right;">Page 172</p> <p>1 █ experienced that would have satisfied this</p> <p>2 diagnostic criteria?</p> <p>3 A. I can't tell you what exactly I was</p> <p>4 thinking at the time, but just looking back at</p> <p>5 this, I would say she's having trouble</p> <p>6 sleeping. She's having trouble concentrating.</p> <p>7 She's a student, so that's affecting her</p> <p>8 ability to function as a student, both if she</p> <p>9 can't sleep, if she can't concentrate. It's</p> <p>10 affecting socially if she's worried about where</p> <p>11 she's going, et cetera. Like those would be</p> <p>12 the things that support that.</p> <p>13 Q. And, again, those are the type of</p> <p>14 things that you would be understanding based on</p> <p>15 her self-report?</p> <p>16 A. Correct, as is true for all of the</p> <p>17 work that I do, essentially.</p> <p>18 Q. I think it's 12, almost 40. It's a</p> <p>19 good time -- I'm getting a little hungry if --</p> <p>20 A. As am I.</p> <p>21 Q. -- you wouldn't mind taking a lunch</p> <p>22 break.</p> <p>23 A. That would be great.</p> <p>24</p> |
| <p style="text-align: right;">Page 171</p> <p>1 A. Yeah. No, it does not address</p> <p>2 that.</p> <p>3 Q. Okay. So is that something that's</p> <p>4 missing from the diagnosis?</p> <p>5 A. I think I was sort of wrapping it</p> <p>6 into the conclusion that these symptoms affect</p> <p>7 her in, sort of, the affect of the emotional,</p> <p>8 cognitive and behavioral condition overall, but</p> <p>9 I did not specifically layout criteria in, I</p> <p>10 guess it's D.</p> <p>11 Q. Okay. What would -- what does it</p> <p>12 mean to say that a distress or impairment is</p> <p>13 clinically significant? What does that mean?</p> <p>14 A. You know, like most of what I do in</p> <p>15 this work, as you can probably see, you know,</p> <p>16 it's subjective, and it's kind of the</p> <p>17 collective -- I mean I feel like this is sort</p> <p>18 of a summary, criterion D, of all of these</p> <p>19 things are happening and it's distressing for</p> <p>20 █ And that distress is shown, you know, by</p> <p>21 sort of the collective of all of these symptoms</p> <p>22 and just the way that it's affecting her.</p> <p>23 Q. Can you recall what, if any,</p> <p>24 clinically significant impairment or distress</p> | <p style="text-align: right;">Page 173</p> <p>1 ---</p> <p>2 (Lunch recess 12:38-1:10 p.m.)</p> <p>3 ---</p> <p>4 BY MR. GALLINARO:</p> <p>5 Q. Dr. Boller, we just came back from</p> <p>6 a break, and if it's all right with you we'll</p> <p>7 proceed now.</p> <p>8 A. Yes.</p> <p>9 Q. Okay. I'd like you to turn to</p> <p>10 Exhibit-13 if you could.</p> <p>11 A. Okay.</p> <p>12 ---</p> <p>13 (Whereupon the document was marked,</p> <p>14 for identification purposes, as</p> <p>15 Exhibit-13.)</p> <p>16 ---</p> <p>17 BY MR. GALLINARO:</p> <p>18 Q. And do you recognize this document?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. And did you review this</p> <p>21 document in preparation for your deposition?</p> <p>22 A. Yes, briefly I looked at it.</p> <p>23 Q. And you would agree with me this is</p> <p>24 the summary of your interview with Lauren Kozak</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|---|--|
| <p>1 and Jason Rodocker on April 17, 2017?</p> <p>2 A. Yes. Correct.</p> <p>3 Q. Do you recall who contacted you to</p> <p>4 set up this interview?</p> <p>5 A. It was either Lauren Kozak or Jason</p> <p>6 Rodocker.</p> <p>7 Q. Do you recall any discussion about</p> <p>8 why they wanted to interview you?</p> <p>9 A. I don't recall a discussion about</p> <p>10 why, no.</p> <p>11 Q. Did you have any understanding of</p> <p>12 what they were interested in hearing about from</p> <p>13 you before you actually sat down and</p> <p>14 interviewed with them?</p> <p>15 A. I don't remember exactly what they</p> <p>16 said ahead of time. I mean, I knew it was</p> <p>17 about the, you know -- I knew it was about [REDACTED]</p> <p>18 and the case, but I don't know that I knew</p> <p>19 anything more than that.</p> <p>20 Q. Okay. Is it your recollection that</p> <p>21 this is, while maybe not a verbatim transcript,</p> <p>22 but that it fully describes what occurred</p> <p>23 during the interview, or is this more of a</p> <p>24 summary of the main points that occurred during</p> | <p>Page 174</p> <p>1 here says, "In the Listed Criteria, it says</p> <p>2 that [REDACTED] experiences memories of the event.</p> <p>3 What memories did she describe?"</p> <p>4 And then the answer that's</p> <p>5 reflected here says, "[REDACTED] doesn't remember the</p> <p>6 incident itself. Rather she remembers details</p> <p>7 about being with him, wanting to go asleep,</p> <p>8 saying she was thirsty. She has memories of</p> <p>9 the next day when she saw the used condom and</p> <p>10 asking him about that. Her memories all relate</p> <p>11 to aspects surrounding the event but not the</p> <p>12 event itself."</p> <p>13 Did I read that correctly?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. Did you -- this describes</p> <p>16 her inability to remember the event itself, and</p> <p>17 I presume by that, you mean the nonconsensual</p> <p>18 sexual intercourse that occurred.</p> <p>19 A. Correct.</p> <p>20 Q. Did you have any discussion with</p> <p>21 the investigators pertaining to [REDACTED]</p> <p>22 inability to recall the consensual sexual</p> <p>23 activity that proceeded the nonconsensual</p> <p>24 activity?</p> |
| <p>1 the interview?</p> <p>2 A. I don't know if this answers your</p> <p>3 question, but what I would say is that I don't</p> <p>4 believe they asked me other questions that are</p> <p>5 not reflected here, but I think that the</p> <p>6 answers are a summary of the answers that I</p> <p>7 provided.</p> <p>8 Q. Okay. About how long did the</p> <p>9 interview last, do you think?</p> <p>10 A. I don't recall, but I would say not</p> <p>11 more than an hour.</p> <p>12 Q. Were you -- did you have any</p> <p>13 materials with you when you provided the</p> <p>14 interview?</p> <p>15 A. I don't remember if I had my notes</p> <p>16 in front of me or not.</p> <p>17 Q. Okay. Did they have any materials</p> <p>18 with them when they interviewed you?</p> <p>19 A. I mean, they had a pad of paper and</p> <p>20 I believe were taking notes, but I don't know</p> <p>21 if they had other materials.</p> <p>22 Q. Did they show you any documents?</p> <p>23 A. No.</p> <p>24 Q. The first question that's listed</p> | <p>Page 175</p> <p>Page 177</p> <p>1 A. I don't recall asking about this or</p> <p>2 talking about that at all.</p> <p>3 Q. Okay. So a topic of their</p> <p>4 questions didn't address why she was unable to</p> <p>5 remember consensual acts. They focused on the</p> <p>6 nonconsensual act; is that accurate?</p> <p>7 A. I think they just focused on this</p> <p>8 one incident.</p> <p>9 Q. Well, did you understand that [REDACTED]</p> <p>10 reported that there was consensual and</p> <p>11 nonconsensual activity?</p> <p>12 A. I actually don't recall that until</p> <p>13 you're saying that right now.</p> <p>14 Q. I'll represent to you that</p> <p>15 according to her, there -- let me back up.</p> <p>16 I'll represent to you that the</p> <p>17 parties did not dispute that oral sex occurred.</p> <p>18 [REDACTED] position was that she did not recall</p> <p>19 specifically performing oral sex but thinks</p> <p>20 that she likely did, and if she did, it would</p> <p>21 have been consensual. That was her position.</p> <p>22 A. Okay.</p> <p>23 Q. With that representation, do you</p> <p>24 remember that being part of anything that [REDACTED]</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|---|---|
| <p style="text-align: right;">Page 178</p> <p>1 told you during your counseling sessions?</p> <p>2 A. I just don't recall.</p> <p>3 Q. Okay. And you don't recall whether</p> <p>4 the investigators asked you about any of her</p> <p>5 inability to remember that aspect of their</p> <p>6 encounter, the oral sex?</p> <p>7 A. I really don't recall anything like</p> <p>8 that.</p> <p>9 Q. Okay. So because you don't recall</p> <p>10 any, even knowing that there was consensual</p> <p>11 sexual activity, would it be fair then to</p> <p>12 conclude that you didn't form an opinion as to</p> <p>13 why she was unable to remember consensual</p> <p>14 sexual activity?</p> <p>15 MR. WOOD: Object to the form.</p> <p>16 THE WITNESS: Again, without</p> <p>17 looking at my notes, I really don't know</p> <p>18 if I had an opinion as to that or not,</p> <p>19 because I don't remember -- I don't really</p> <p>20 remember any of the details you're</p> <p>21 accounting to me, so I just don't know.</p> <p>22 BY MR. GALLINARO:</p> <p>23 Q. Okay. The second question they ask</p> <p>24 you mentions, "The criteria mentions having</p> | <p style="text-align: right;">Page 180</p> <p>1 If there are dreams and the content of those</p> <p>2 dreams, I just don't think there is a typical.</p> <p>3 Q. Okay. The third question is, "In</p> <p>4 the listed criteria, it says that the symptoms</p> <p>5 are not attributable to any other condition.</p> <p>6 Can you describe the difference between acute</p> <p>7 stress disorder and generalized anxiety</p> <p>8 disorder?" And then your answer goes on to</p> <p>9 address that, correct?</p> <p>10 A. Right. Yes, correct.</p> <p>11 Q. You note that, "Even though the</p> <p>12 symptoms between those two disorders overlap,</p> <p>13 the quantity and specificity of the symptoms</p> <p>14 indicate that ASD is the more accurate and</p> <p>15 appropriate."</p> <p>16 Is that correct?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. But you didn't have any</p> <p>19 understanding of what her symptoms were that</p> <p>20 led to her generalized anxiety disorder; did</p> <p>21 you?</p> <p>22 A. Again, without my notes, I don't</p> <p>23 know how much detail was shared with me about a</p> <p>24 prior diagnosis of anxiety or not. That</p> |
| <p style="text-align: right;">Page 179</p> <p>1 daily dreams related to rape. Did she describe</p> <p>2 the dreams?" And then the response reflected</p> <p>3 here is, "█████ recorded daily dreams in which</p> <p>4 her perpetrator tells her calmly that he has</p> <p>5 raped her in the past and that she didn't know</p> <p>6 it. In other words, her dreams are not</p> <p>7 memories of the incident, but about hearing</p> <p>8 from her perpetrator that he raped her and she</p> <p>9 did not know it."</p> <p>10 First, did I read that correctly?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. And as we described before,</p> <p>13 this is based on your understanding, based on</p> <p>14 what █████ has reported to you, correct?</p> <p>15 A. Yes.</p> <p>16 Q. Is it your -- is it typical in your</p> <p>17 experience dealing with sexual assault victims</p> <p>18 that their dreams -- that they would have</p> <p>19 dreams about other interactions with the</p> <p>20 perpetrator -- I'll use that word -- other than</p> <p>21 what actually happened?</p> <p>22 A. I don't think there's any typical</p> <p>23 in that situation. I think that it's so</p> <p>24 variable for people who've experienced trauma.</p> | <p style="text-align: right;">Page 181</p> <p>1 doesn't mean none of those symptoms would have</p> <p>2 come up or that I have no -- you know, that I</p> <p>3 haven't taken any notes about that, but I don't</p> <p>4 recall. And, again, there is -- you know,</p> <p>5 there is overlap, and some of those general</p> <p>6 symptoms of anxiety, you know -- you know, may</p> <p>7 or may -- may or may not have been present, but</p> <p>8 because the acute stress disorder criteria is</p> <p>9 sort of a higher threshold and more -- you need</p> <p>10 more, sort of, specific symptoms to meet that,</p> <p>11 that that one still seems like the appropriate</p> <p>12 diagnosis.</p> <p>13 Q. Okay. If you come down a little</p> <p>14 bit, though, it does say here that Dr. Boller</p> <p>15 did not know █████ before this incident, so she</p> <p>16 cannot offer a pre and post comparison.</p> <p>17 Do you see that?</p> <p>18 A. Right. Yes, I do. Correct.</p> <p>19 Q. If she had had all these prior</p> <p>20 symptoms and it were unrelated to any trauma,</p> <p>21 would that have influenced your diagnosis?</p> <p>22 A. I mean, that's hard to say. But</p> <p>23 are you saying -- can you ask it one more time?</p> <p>24 Q. Sure. Like, let's imagine a</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|--|--|
| <p style="text-align: right;">Page 182</p> <p>1 scenario where you did -- you got in touch with 2 her, you know, a counselor who had -- whoever 3 it was that previously diagnosed her with GAD 4 and prescribed Lexapro, and you conclude from 5 that that it seems like she has been 6 experiencing most, if not all, of the symptoms 7 that you referenced in your letter, would that 8 --</p> <p>9 A. Okay.</p> <p>10 Q. -- affect your diagnosis?</p> <p>11 A. Again, as you pointed out when we 12 talked about that letter earlier, you know, 13 criterion A is that there's a trauma. So it 14 would affect my diagnosis possibly depending on 15 whether there was a previous trauma that would 16 have explained those symptoms at that time.</p> <p>17 Q. Well, so let's assume that the 18 trauma -- that she had all the symptoms, right, 19 but no trauma, and that's what led to the GAD, 20 and then she experienced trauma, and then she 21 continued to have all the same symptoms that 22 she already had beforehand. Would that be a 23 reason to switch the disorder diagnosis from 24 GAD to ASD, or would you conclude it doesn't</p> | <p style="text-align: right;">Page 184</p> <p>1 have made me feel more certain or less 2 certain hypothetically speaking.</p> <p>3 BY MR. GALLINARO:</p> <p>4 Q. Okay. Well, if you knew -- we 5 don't know what the symptoms, you know, that -- 6 neither of us know whatever symptoms she had 7 that led to the GAD. Right? So we're both 8 sort of operating in a vacuum here. But you 9 said that if she had all the same symptoms, 10 that it might impact your current understanding 11 of whether she had ASD.</p> <p>12 Are we having a shared 13 understanding?</p> <p>14 MR. WOOD: Object to the form.</p> <p>15 THE WITNESS: I mean, it's all just 16 hypothetical. So I'm just not -- I'm just 17 not sure. I mean you're asking if I had 18 different information, would I have 19 reached a different conclusion, and I'm 20 saying that's possible, but I don't know.</p> <p>21 BY MR. GALLINARO:</p> <p>22 Q. Well, you knew that there was 23 information you didn't have, right? You knew 24 that there was a diagnosis, and you did not</p> |
| <p style="text-align: right;">Page 183</p> <p>1 appear that the trauma has changed her symptoms 2 in any way because she had all of these before? 3 Does that make sense?</p> <p>4 A. I believe it does.</p> <p>5 Q. Great.</p> <p>6 A. I mean, it's just -- it's hard for 7 me to say what I would have thought 8 retrospectively. If there was a trauma, it 9 could have informed it. If I hadn't seen it 10 myself and there were just factors of, you 11 know, is it possible that it would have 12 influenced me to think about it differently? I 13 suppose it's possible. That just -- that 14 wasn't the scenario that I was dealing with, so 15 I can't really say.</p> <p>16 Q. Knowing that she had a previous 17 diagnosis, would it have made you -- would you 18 have been able to be more certain of your 19 diagnosis if you had actually been able to 20 review what led to that diagnosis?</p> <p>21 MR. WOOD: Object to the form.</p> <p>22 THE WITNESS: I felt certain enough 23 with my diagnosis to prepare the letter 24 that I did. It's hard to say what would</p> | <p style="text-align: right;">Page 185</p> <p>1 know the basis for it, correct?</p> <p>2 MR. WOOD: Object to the form.</p> <p>3 THE WITNESS: I don't remember if I 4 did know that. I don't remember if I knew 5 that there was a diagnosis.</p> <p>6 BY MR. GALLINARO:</p> <p>7 Q. It's written here in your answer. 8 It says -- in the Listed Criteria, it says that 9 "symptoms are not attributable to another 10 condition. Can you describe the difference 11 between acute stress disorder and generalized 12 anxiety disorder?"</p> <p>13 Did you not understand they were 14 asking those questions because she already had 15 a preexisting diagnosis?</p> <p>16 A. I didn't necessarily think that 17 that's why they were asking that, but also, 18 this came after I had already written the 19 letter.</p> <p>20 Q. Okay. So you're not sure if you 21 knew that she had -- that she ever had GAD?</p> <p>22 A. I really just don't recall without 23 seeing my notes.</p> <p>24 Q. Okay. So I guess I'm just</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|--|--|
| Page 186 | Page 188 |
| <p>1 requesting you to operate under the assumption 2 that she did have a previous diagnosis of GAD. 3 Okay?</p> <p>4 MR. WOOD: Object to the form.</p> <p>5 BY MR. GALLINARO:</p> <p>6 Q. Can we -- can we -- can we start 7 from, I'll ask you to just accept for purposes 8 of my question that --</p> <p>9 A. Okay.</p> <p>10 Q. -- before she ever saw you, she had 11 a previous diagnosis of GAD, for which she had 12 been prescribed Lexapro?</p> <p>13 A. Okay.</p> <p>14 Q. I want you to assume that's true.</p> <p>15 A. Okay.</p> <p>16 Q. Okay. So if you were to -- if you 17 wanted to arrive at the best diagnosis you 18 could possibly give, would you want to know why 19 she had been previously diagnosed with GAD 20 before you arrived at your conclusion that now 21 she has ASD?</p> <p>22 MR. WOOD: Object to the form.</p> <p>23 THE WITNESS: Possibly so.</p> <p>24</p> | <p>1 the investigation and hearing process?"</p> <p>2 So you were asked whether someone 3 could exhibit symptoms, and again, you -- there 4 are symptoms which you've never observed her to 5 exhibit, correct?</p> <p>6 A. Some of them were by her report.</p> <p>7 Q. The first sentence of your answer, 8 you say, "Well, Dr. Boller cannot say that that 9 would never be true. In her opinion, it's 10 highly unlikely to be the explanation for 11 [REDACTED] symptoms."</p> <p>12 And my first question is, which 13 aspect of the question are you referring to? 14 Because they asked you, could someone have this 15 disorder if someone believes they have 16 experienced something or didn't, and secondly 17 could it have been caused by the stress of 18 going through the process? And your answer 19 says you can't say it would never be true, but 20 it seems unlikely to be the explanation.</p> <p>21 Which of those two things is 22 unlikely to be the explanation?</p> <p>23 A. I'm just looking at the rest of the 24 answer to see if it was separated out.</p> |
| Page 187 | Page 189 |
| <p>1 BY MR. GALLINARO:</p> <p>2 Q. As we discussed, if all the 3 symptoms were the same prior to the traumatic 4 event to after, that might influence your 5 opinion as to whether she actually suffered 6 from ASD?</p> <p>7 MR. WOOD: Object to the form.</p> <p>8 THE WITNESS: It could have meant 9 that I would have diagnosed her with both.</p> <p>10 BY MR. GALLINARO:</p> <p>11 Q. I guess the point is, you don't 12 know because you didn't have the information, 13 correct? You don't know how it might have 14 impacted your diagnosis?</p> <p>15 A. Exactly. That's what I'm saying. 16 It feels very hypothetical. I don't know how 17 it would have impacted me.</p> <p>18 Q. Okay. All right. The fourth 19 question, I'd like to focus on that now.</p> <p>20 It says, "Can acute stress disorder 21 be caused if someone believes they have 22 experienced a traumatic event but didn't 23 actually experience it? Secondly, could it 24 have been caused by the stress of going through</p> | <p>1 Q. Sure.</p> <p>2 A. It doesn't look like I specify 3 anything that's related to the stress of the 4 process in this answer. It appears that it is 5 all related to the first question.</p> <p>6 Q. Okay. You go on to say that 7 "Trauma experts believe that trauma is 8 experienced cognitively, emotionally and 9 bodily."</p> <p>10 With regard to your reference to 11 trauma experts, are there any individuals that 12 you might have been referring to there that we 13 haven't discussed already when I've asked you 14 who's informed your understanding of trauma?</p> <p>15 A. Nothing more specific than what I 16 answered earlier.</p> <p>17 Q. The next two -- let's move on to 18 the next two sentences. So, "The body 19 experiences and absorbs trauma and reflects it 20 in a particular way. It's difficult to imagine 21 a scenario where a person would experience the 22 range and specificity of symptoms as [REDACTED] has 23 when the experience was believed to be true but 24 not actually true. It would cause one to</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|---|---|
| <p style="text-align: right;">Page 190</p> <p>1 wonder what happened to render the belief so 2 strong. A possibility would include the 3 presence of a psychotic disorder where reality 4 is acutely disturbed."</p> <p>5 Are you opining here that unless 6 [REDACTED] has some sort of psychotic disorder then 7 what she's saying happened, happened?</p> <p>8 A. I'm not sure that I'm saying that. 9 I'm saying that the presentation and my 10 clinical assessment of that presentation, 11 which, yes, it's from self-report, but that is 12 the job that I do every day when I diagnose 13 people, whether it's related to sexual assault 14 or not. That doesn't mean I'm never wrong but 15 that is like the clinical tool that I have sort 16 of honed over time is sort of like collecting 17 all of that information, right. I'm saying all 18 of that as presented and assessed, in my 19 opinion, was that that specificity would not 20 be -- would be hard to, sort of, imagine that 21 being experienced if it was something that 22 didn't actually happen.</p> <p>23 Q. Okay. But that doesn't address 24 whether she could have been not telling the</p> | <p style="text-align: right;">Page 192</p> <p>1 because she has -- at least part of the reason 2 she knew it would have been nonconsensual is 3 because she had a personal rule that she never 4 has sexual intercourse with people that she's 5 not interested in a relationship with, and that 6 Mr. [REDACTED] didn't meet that criteria.</p> <p>7 Do you recall that being a topic of 8 anything you discussed with her?</p> <p>9 A. Now that you're saying that, it 10 vaguely rings a bell, but I don't think I would 11 have remembered that otherwise.</p> <p>12 Q. Okay. So the scenario we have is 13 someone who is experiencing something or claims 14 to be experiencing something where they can't 15 remember, sort of, a large portion of their 16 evening. And they're making assumptions based 17 on what would have been consensual or 18 nonconsensual based on their own personal 19 rules. Are you with me?</p> <p>20 A. I think so.</p> <p>21 MR. WOOD: I'm going to object to 22 the form of it, predicate, but you can go 23 ahead.</p> <p>24</p> |
| <p style="text-align: right;">Page 191</p> <p>1 truth with regard to what experience she was -- 2 what symptoms she was experiencing, correct?</p> <p>3 A. I wasn't being asked to make a 4 determination of the credibility of her claim. 5 I was asked for my clinical expertise, my 6 clinical opinion.</p> <p>7 Q. Okay. I want to ask you about -- 8 and I apologize, I'm just going to close my 9 office door. I'll be right back.</p> <p>10 I just want to ask you about, you 11 said you couldn't imagine a scenario, and so I 12 want to discuss with you a potential scenario 13 based on the way the investigation report 14 reflected what occurred. This is a case, as 15 I've told you, where she has -- there were at 16 least two sexual acts, one of which was 17 consensual according to her, and one of which 18 was nonconsensual according to her, and she 19 doesn't remember either. Are you with me?</p> <p>20 A. Okay. I mean I don't recall it, 21 but I'm with you.</p> <p>22 Q. Okay. She -- her testimony in the 23 case was that she knew that the vaginal 24 intercourse would have been nonconsensual</p> | <p style="text-align: right;">Page 193</p> <p>1 BY MR. GALLINARO:</p> <p>2 Q. So if she -- would you agree with 3 me that sometimes people don't always follow 4 their own personal rules, particularly if 5 they've been drinking?</p> <p>6 MR. WOOD: Object to the form.</p> <p>7 THE WITNESS: I mean...</p> <p>8 BY MR. GALLINARO:</p> <p>9 Q. Just as a general matter. Are you 10 aware that alcohol lowers people's inhibitions?</p> <p>11 A. Sure. Yes.</p> <p>12 Q. Okay. Sometimes people do things 13 after they've had a few drinks that they wish 14 they didn't do, right?</p> <p>15 MR. WOOD: Object to the form.</p> <p>16 THE WITNESS: Yes. I would imagine 17 that's true.</p> <p>18 BY MR. GALLINARO:</p> <p>19 Q. Okay. So in a scenario like the 20 one that [REDACTED] reported, where she doesn't 21 remember having -- doing oral sex or vaginal 22 sex with Mr. [REDACTED] and she's assuming that she 23 would have steadfastly adhered to her personal 24 rule during a time she can't remember, and</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|--|--|
| <p>1 that's the basis for her believing she were 2 assaulted, would that result in the kind of 3 traumatic symptoms that you recorded if she 4 actually were wrong, if she --</p> <p>5 MR. WOOD: Objection.</p> <p>6 BY MR. GALLINARO:</p> <p>7 Q. -- actually did actively 8 participate in sex and was just wrong that she 9 didn't adhere to her personal rule because she 10 can't remember it?</p> <p>11 MR. WOOD: Object to the form.</p> <p>12 BY MR. GALLINARO:</p> <p>13 Q. Are you with me?</p> <p>14 A. I mean that's a -- I mean I think 15 so. It just feels impossible for me to say.</p> <p>16 Q. Well, you said you couldn't imagine 17 a scenario in which someone could believe the 18 event to have occurred had it not occurred 19 unless they had some kind of psychotic 20 disorder. So what I'm giving to you now is the 21 scenario that likely did occur between [REDACTED] 22 and [REDACTED]. We know that she didn't remember 23 either act of sex but contested that one was 24 consensual and one was nonconsensual based on</p> | <p>Page 194</p> <p>1 BY MR. GALLINARO: 2 Q. Okay. It's not a scenario that you 3 considered in forming your diagnosis, correct? 4 A. I don't know. 5 Q. You didn't consider whether she 6 were just mistaken, that she believed that she 7 wouldn't have done something during a time she 8 can't remember when she actually actively 9 participated in it. You didn't consider 10 whether that could have been the case?</p> <p>11 A. Object to the form.</p> <p>12 THE WITNESS: I don't believe 13 someone would experience the consistency 14 of traumatic symptoms if it was a mistake 15 and it's not really what happened. That 16 does not adhere to me with what I know 17 about trauma --</p> <p>18 BY MR. GALLINARO:</p> <p>19 Q. Okay. And -- 20 A. -- and clinical symptoms. 21 Q. So a mistaken belief that you were 22 traumatized -- 23 A. Is not the same as trauma. 24 Q. -- symptoms; is that what you're</p> |
| <p>Page 195</p> <p>1 her own personal rule, but which she likely 2 would have been okay with during a time she 3 can't remember. Do you understand?</p> <p>4 A. Mm-hmm. I think so.</p> <p>5 MR. WOOD: Objection to the 6 predicate.</p> <p>7 BY MR. GALLINARO:</p> <p>8 Q. So if she were not -- if she 9 didn't, for whatever reason, because she had 10 had a couple of drinks that night, she didn't 11 adhere to her personal rule and just doesn't 12 remember it but believes, because she just has 13 this rule, it must have been rape, would that 14 still result in the kind of symptoms that 15 you've described here?</p> <p>16 MR. WOOD: Object to the form.</p> <p>17 THE WITNESS: Yeah. I mean, I'm 18 not agreeing to what you're painting as 19 the likely scenario, but you're presenting 20 it as a hypothetical, and I still say it 21 just feels impossible for me to say how -- 22 what that would have meant for her 23 diagnosis. Is that what you're saying? I 24 mean, I don't know.</p> | <p>Page 197</p> <p>1 saying?</p> <p>2 A. I'm sorry. I think I cut you off 3 because I thought you were done. Say the last 4 part of that question.</p> <p>5 Q. I'm speaking slow because I'm 6 tired. A mistaken belief that you've been 7 traumatized because you simply don't remember 8 what happened to you, but you're later told 9 that you were -- you were traumatized, but you 10 weren't, you don't think that that could result 11 in symptoms?</p> <p>12 A. I don't have experience with 13 that -- with that situation.</p> <p>14 Q. Okay. The final question in your 15 interview says, "Did [REDACTED] express any reason 16 she believes she did not remember the 17 incident?" And your answer is, "[REDACTED] wondered 18 whether there were drugs in her seltzer offered 19 to her by the perpetrator because she felt so 20 heavily drowsy so suddenly afterwards in a way 21 that was not normal for her sleep pattern." 22 And Dr. Boller remarked that, "Some people 23 block out traumatic events. Additionally, 24 someone may not remember due to physical injury</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|--|---|
| <p style="text-align: right;">Page 198</p> <p>1 or someone may be blacked out due to excessive 2 alcohol use. Dr. Boller cannot say what 3 happened here."</p> <p>4 Were you opining one way or another 5 whether any of those explanations were the 6 likely cause of her inability to remember?</p> <p>7 A. I think I'm being really clear in 8 that response that [REDACTED] said one thing, and 9 that I'm proposing possible alternatives that 10 occur to me.</p> <p>11 Q. Okay. But you didn't form -- you 12 didn't -- you weren't concluding that those 13 were likely; you're just saying here's a range 14 of things that might explain it, but I don't 15 really know what happened. Is that your 16 testimony?</p> <p>17 A. I think what I've written here is 18 just really clear that I'm presenting what [REDACTED] 19 said and other possibilities.</p> <p>20 Q. Okay. And you conclude by saying, 21 "You can't say what happened here," right?</p> <p>22 A. I wasn't there. I have no 23 definitive knowledge of what happened in that 24 situation.</p> | <p style="text-align: right;">Page 200</p> <p>1 just sort of reporting what she said to me.</p> <p>2 Q. Are you aware that [REDACTED] reported 3 that the consensual oral sex that she reported, 4 which she was unable to remember, happened 5 before she alleges she drank from the can of 6 seltzer?</p> <p>7 A. I don't recall.</p> <p>8 Q. Okay. Well, if you accept for me 9 that that was her statement in the 10 investigation, that I drank the seltzer after 11 the oral sex that I don't remember, are you 12 aware of any drug that can erase memories from 13 before you ingested it?</p> <p>14 A. I have -- I mean, I'm not an expert 15 in medications and how it would affect memory 16 either way, so I don't know.</p> <p>17 Q. So you don't have experience with 18 date-rape drugs, despite all of your experience 19 treating sexual assault survivors?</p> <p>20 MR. WOOD: Object to the form.</p> <p>21 THE WITNESS: There are so -- 22 sorry, Craig.</p> <p>23 There are so many different drugs 24 that are used as, quote, date-rape drugs,</p> |
| <p style="text-align: right;">Page 199</p> <p>1 Q. Right. So I just wanted to make 2 sure I'm understanding that you weren't 3 offering any kind of view or expertise of why 4 she couldn't remember. You're essentially 5 saying you're not sure?</p> <p>6 A. I was offering possibilities, 7 including [REDACTED] opinion as she presented it to 8 me.</p> <p>9 Q. Okay. But not weighing in with 10 your own expertise saying that it's more likely 11 that this would have happened or something else 12 would have explained it?</p> <p>13 A. It doesn't appear that I've stated 14 it that way.</p> <p>15 Q. When you reference the fact that 16 [REDACTED] wondered whether there were any drugs in 17 the seltzer offered to her, you weren't aware 18 of any medical evidence that would speak to 19 whether [REDACTED] had drugs in her system; were you?</p> <p>20 A. No. I don't believe so.</p> <p>21 Q. Okay. And other than [REDACTED] 22 wondering whether that were the case, you can't 23 offer any other detail about that, correct?</p> <p>24 A. Right, which is why I didn't. I'm</p> | <p style="text-align: right;">Page 201</p> <p>1 which is why it's difficult to test for 2 them because you'd be running a panel of 3 tests for a multitude of things. So I'm 4 not familiar with each of them and whether 5 they affect retroactive memory or -- I'm 6 just -- I'm not an expert in that by any 7 stretch.</p> <p>8 BY MR. GALLINARO:</p> <p>9 Q. You can't opine one way or the 10 other whether a drug could do that?</p> <p>11 A. I don't know.</p> <p>12 Q. Okay. You note that some people 13 block out traumatic events, right?</p> <p>14 A. Yes. I believe that can happen.</p> <p>15 Q. Okay. But that wouldn't explain 16 her inability to remember consensual sex, 17 right?</p> <p>18 MR. WOOD: Object to the form.</p> <p>19 THE WITNESS: I mean, again, just 20 difficult -- difficult to say how much 21 memory is affected when someone is 22 blocking out a memory.</p> <p>23 BY MR. GALLINARO:</p> <p>24 Q. So a traumatic event might include</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|--|---|
| <p style="text-align: right;">Page 202</p> <p>1 a blocking of a memory of the events leading up 2 to the traumatic event?</p> <p>3 A. Yes. It can. It could.</p> <p>4 Q. Are you a memory expert?</p> <p>5 A. No.</p> <p>6 Q. Okay. That's your understanding of 7 how trauma affects memory?</p> <p>8 A. I'm saying that my experience is 9 that some people who've experienced trauma can 10 have difficulty with their memory, and that 11 would be of the things that happened up to and 12 including the event. So which things are 13 remembered or which things are not, I don't 14 know. I think it can affect your memory. So 15 it can affect your memory in different ways.</p> <p>16 Q. Okay. And the nonconsensual sexual 17 activity in this case, according to [REDACTED] 18 occurred while she was asleep. I think we 19 discussed this before, but, so we can't -- we 20 can't form memories when we're asleep, right?</p> <p>21 MR. WOOD: Object to the form.</p> <p>22 THE WITNESS: We remember things 23 when we are asleep, like dreams, so again 24 I'm just not sure what else to say about</p> | <p style="text-align: right;">Page 204</p> <p>1 Q. You've acted, I believe, in two 2 other Title IX matters other than this one; is 3 that correct?</p> <p>4 A. Oh. I really don't recall. Do you 5 mean like in the hearing at, like, with the 6 hearing board?</p> <p>7 Q. Well --</p> <p>8 A. I don't remember being a witness.</p> <p>9 Q. -- exactly. So I'll tell you why 10 I'm asking the question. We've asked the 11 university in a written Discovery request to 12 identify other matters in which you had 13 provided testimony as a witness, and they 14 identified a matter that occurred in the 2014 15 and 2015 academic year, and a matter that 16 occurred in the 2015/2016 academic year. I 17 don't know too much more than that, so that's 18 why I'm going to ask you questions, if you can 19 help me identify the sexual misconduct cases 20 where you participated as a witness.</p> <p>21 A. I don't recall participating as a 22 witness in front of the hearing board. I don't 23 recall ever being called in front of the 24 hearing board.</p> |
| <p style="text-align: right;">Page 203</p> <p>1 that.</p> <p>2 BY MR. GALLINARO:</p> <p>3 Q. Okay. When you talk about blocking 4 out memories, are you talking about the concept 5 of repressed memory?</p> <p>6 A. Not necessarily. I'm just saying 7 sometimes people don't remember things, 8 literally from, like even from a head trauma, 9 right. You cannot remember some things after 10 there has been -- whether that's a, you know, a 11 physical trauma or an emotional trauma. That's 12 what I'm saying.</p> <p>13 - - -</p> <p>14 (Mr. Schwartz entered the 15 proceeding.)</p> <p>16 - - -</p> <p>17 BY MR. GALLINARO:</p> <p>18 Q. Okay. And when you reference 19 someone may be blacked out due to excessive 20 alcohol, were you aware, based on [REDACTED] 21 report, that she was not overly intoxicated at 22 the time of the sexual activity?</p> <p>23 A. I don't remember how much alcohol 24 she had ingested. I don't know.</p> | <p style="text-align: right;">Page 205</p> <p>1 Q. Well, how about being interviewed 2 by the investigators?</p> <p>3 A. I remember being interviewed one 4 other time, very vaguely. I don't remember if 5 it was two or not. I do remember being 6 interviewed one other time.</p> <p>7 Q. Okay. Could you turn to the final 8 exhibit, Exhibit-14.</p> <p>9 A. Okay.</p> <p>10 - - -</p> <p>11 (Whereupon the document was marked, 12 for identification purposes, as 13 Exhibit-14.)</p> <p>14 - - -</p> <p>15 BY MR. GALLINARO:</p> <p>16 Q. Take a moment to review that. I 17 believe there's an email that is in back of it 18 that may also help you, but once you've had a 19 chance to review it, just let me know.</p> <p>20 A. Okay. I read all that.</p> <p>21 Q. Okay. So Exhibit-14 is an 22 interview summary of you by Jason Rodocker and 23 Lauren Kozak, dated 11/7/2014.</p> <p>24 Having reviewed that, do you recall</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | | | |
|--|----------|---|----------|
| 1 that you did provide an interview to 2 investigators in at least one other Title IX 3 matter? 4 A. Are you saying in addition to this 5 one or that this is the one? 6 Q. Well, right now I'm just asking 7 about this one. 8 A. Okay. Yes. I mean, I read this -- 9 this. I recall it now, having read this. 10 Q. Okay. Do you recall that the 11 student who was the complainant in this -- I'm 12 sorry. 13 Do you recall that the student who 14 was the complainant in this case is someone -- 15 do you recall that the student who was the 16 complainant in this case was [REDACTED] 17 A. That sounds right. 18 Q. Okay. And were you aware that 19 [REDACTED] was one of [REDACTED] advisors? 20 A. I don't recall if I knew that at 21 the time or not. 22 Q. Okay. Did you ever discuss [REDACTED] 23 [REDACTED] case with [REDACTED] 24 A. I would not be permitted to discuss | Page 206 | 1 A. So what's the question? 2 Q. My question was: Was the reason 3 you were providing this interview because you 4 had treated [REDACTED] 5 A. It's because I had met with her at 6 some point when she was a student. 7 Q. You met with her in your role as a 8 counselor at the SHC, correct? 9 A. Correct. 10 Q. Okay. So you weren't -- you 11 weren't a factual witness somehow involved in 12 the underlying incident; this is related to 13 your treatment of her, correct? 14 A. Yes. I suppose that would be fair 15 to say. 16 Q. Okay. Do you recall how many times 17 you saw her before you provided this testimony 18 on her behalf? 19 A. No. I have no idea. 20 Q. Do you recall how she was referred 21 to you? 22 A. No. 23 Q. Do you recall whether she came to 24 you specifically for the purpose of having you | Page 208 |
| 1 anything clinical with another person. That 2 would violate confidentiality. 3 Q. Did you ever have any discussions 4 with the two of them? Given that [REDACTED] had 5 asked you based on the recommendation of one of 6 her advisors to get this letter, did you ever 7 have new followup with [REDACTED] and her advisors? 8 A. I don't recall ever talking with 9 [REDACTED] advisors. 10 Q. Okay. Do you recall how many times 11 you had treated -- well, first of all, is the 12 reason you provided testimony on behalf of 13 [REDACTED] because you had treated her? 14 THE WITNESS: Craig, can I answer 15 that? 16 MR. WOOD: You can't answer 17 anything about your clinical relationship 18 with [REDACTED] or [REDACTED] because 19 in both cases they're protected by HIPAA. 20 You can answer whether you met with her 21 and during what period of time, but not 22 anything about the clinical relationship. 23 BY MR. GALLINARO: 24 Q. Okay. | Page 207 | 1 serve as a witness? 2 A. I don't believe so. 3 Q. Okay. Do you recall whose idea it 4 was for you to act as a witness for her? 5 A. Nope. 6 Q. Okay. Do you recall, I've 7 represented to you the university has said that 8 there was another matter where you provided 9 witness testimony, which occurred the following 10 academic year in 2015/2016. 11 Do you recall that? 12 A. So, again, if you mean by witness 13 like doing something like being interviewed? 14 Q. Yes. 15 A. That's -- I don't recall. I guess 16 that's possible. I was not in front of the 17 hearing board as a witness. If there was 18 another interview, that's possible, but I don't 19 recall anything specific. 20 Q. Okay. And I don't want to throw 21 you off with the word witness. 22 A. Okay. 23 Q. When I say witness, in these Title 24 IX proceedings, we refer to people who are | Page 209 |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | | | |
|--|----------|---|----------|
| <p>1 interviewed by the investigators as 2 witnesses -- 3 A. Okay. 4 Q. -- even if they don't come before 5 the board. 6 A. Got it. 7 Q. So with that understanding, were 8 you interviewed by the Title IX coordinator -- 9 were you interviewed by the investigators in a 10 Title IX matter for another case, other than 11 [REDACTED] and [REDACTED], that you can 12 recall? 13 A. I mean if they say that I was, I 14 believe that I was, but I don't remember the 15 situation. 16 Q. Have you only participated in Title 17 IX investigations as a witness, as we're using 18 that term, on behalf of complainants? 19 A. So the only two that I recall are 20 for [REDACTED] and [REDACTED] and in both cases they were 21 complainants. 22 Q. Okay. Have you ever -- have you 23 ever acted as a witness on behalf of a male 24 student?</p> | Page 210 | <p>1 A. A situation I knew of or one where 2 I was a witness for that? 3 Q. In one where you were a witness. 4 A. I can't recall a specific time when 5 a respondent pled guilty, so to speak. I don't 6 recall a situation like that. 7 Q. Okay. Have you ever -- you said 8 you've counseled -- you've counseled male 9 students who have experienced assault, correct? 10 A. Yes. Yes, I have. 11 Q. Have you ever counseled male 12 students who were accused of assault? 13 A. There was an occasion where a 14 student presented to our -- what we call, our 15 urgent session in the counseling center, where 16 you don't have to have an appointment ahead of 17 time. You know, you can kind of show up. 18 People know what time of day that is. We 19 rotate who is covering, you know, that spot in 20 the day. And a student had, from my 21 recollection, I might not remember all the 22 details, but he had just learned that he was 23 being investigated for that, a charge related 24 to that and was understandably, you know,</p> | Page 212 |
| <p>1 A. I don't believe so. Not that I 2 recall, but I don't recall the other incident. 3 Q. Okay. 4 A. I have clinically met with students 5 and worked with students who are men who had 6 reported sexual assault to me, but I don't 7 remember -- I don't remember the situation, 8 so... 9 Q. Okay. Do you recall whether the 10 other -- I know you're not recalling the other 11 matter. I'm trying to figure out how I can ask 12 you a question about it. 13 Do you know if you participated as 14 a witness in any matter that ultimately was 15 withdrawn? 16 A. Because I don't remember the 17 situation, I just can't say. 18 Q. Okay. And I'm just trying to see 19 if I can prompt something, so bear with me. 20 A. Okay. Yeah. 21 Q. Would you have participated as a 22 witness in any matter where a student pled 23 guilty, you know a case where the respondent 24 accepted responsibility for it?</p> | Page 211 | <p>1 distraught at hearing that he was going to be 2 investigated and came to the urgent session, 3 and I was the person covering it. So I did 4 offer support and other resources, and I 5 connected him with a followup with another 6 counselor. 7 Q. Any -- I'm sorry, that echo again. 8 Any other instances that you can recall where 9 you provided counseling to an accused male 10 student? 11 A. Not that I recall. 12 Q. And you said you referred him to a 13 different counselor. Was that within the 14 office? 15 A. Yes. 16 Q. Is there any particular reason why 17 you referred him to someone else? 18 A. I'm very affiliated with all the, 19 you know -- not all, with many of the cases of 20 sexual assault. It's on my bio on our website 21 that students who've experienced it would come 22 to me, and I didn't know if there would be a 23 conflict about someone reaching out to me 24 specifically for help with the support on the</p> | Page 213 |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|--|--|
| <p style="text-align: right;">Page 214</p> <p>1 trauma side if I was already seeing him, and 2 thought that it would be better to refer to 3 someone whose expertise wasn't in working with 4 the support side for a complainant.</p> <p>5 Q. Okay. Is there anyone in the 6 office, the SHC office, that does focus on 7 counseling accused students?</p> <p>8 A. No.</p> <p>9 Q. But there are others who don't feel 10 that they're in as conflicted position as you 11 are?</p> <p>12 A. I imagine so.</p> <p>13 Q. Are there any counselors that 14 you're aware of who will not work with students 15 who are alleged that they are victims of a 16 sexual assault, sort of the flip side of your 17 situation?</p> <p>18 A. I don't know that any of them would 19 say they would just actually refuse to do it. 20 Many -- I know at least a couple would have 21 specifically referred them to me or maybe even 22 Rallie Snowden at times because of our 23 experience with it. I'm not -- I don't know 24 that I've ever heard anyone say they won't see</p> | <p style="text-align: right;">Page 216</p> <p>1 Counseling Center, the director is the same. 2 There's one director for health and counseling. 3 We are sometimes referred to as health and 4 counseling, so there is a connection, but 5 they're actually two separate...</p> <p>6 Q. Just so that we're clear, I'm 7 intending to only have been asking you about 8 your office.</p> <p>9 A. I understood that, yes.</p> <p>10 Q. And what should I call it, just 11 so --</p> <p>12 A. The Counseling Center.</p> <p>13 Q. I had asked you if someone comes to 14 the Counseling Center alleging that they had 15 experienced sexual assault, would that 16 typically be steered to you or are there 17 multiple people who handle that?</p> <p>18 A. So I'd be one of the people it 19 would be steered to, unless, again, the person 20 didn't want to see me or that there was a 21 conflict because I was already seeing someone 22 else who was involved, or something like that. 23 Rallie Snowden might be another one. Those -- 24 we might be the top two, but again, other</p> |
| <p style="text-align: right;">Page 215</p> <p>1 it. Everyone is equipped to deal with it in an 2 urgent situation, and some would, likewise, 3 maybe then refer to me or Rallie for someone 4 who wanted ongoing care.</p> <p>5 Q. Okay. If someone comes to the SHC 6 alleging that they have been assaulted, are 7 they -- do you handle most of those or are 8 there multiple people who would potentially 9 respond to that?</p> <p>10 A. I just want to clarify one thing 11 because I'm worried how it's going to read in 12 the transcript later. So SHC is Student Health 13 Center and I'm at the University Counseling 14 Center.</p> <p>15 Q. I'm sorry.</p> <p>16 A. The Health Center -- no, it's okay. 17 I just thought later if I was reviewing the 18 transcript that...</p> <p>19 So the Health Center is our health 20 clinic, and students might also present there. 21 That's why I just wanted to be clear. They 22 might present there for care, medical care, et 23 cetera, and they would present there because 24 they're open 24 hours. We are not. The</p> | <p style="text-align: right;">Page 217</p> <p>1 people would see someone, and someone might 2 request seeing someone. I would venture that 3 all of us at times, clinically in our 4 professional experiences, have worked with and 5 met with students who have experienced that or 6 an abuse history, just because it's pervasive 7 enough in our culture that someone has that in 8 their background.</p> <p>9 If someone's presenting for the 10 first time and saying that it was a recent 11 incident, I think that our administrative 12 assistant would probably steer them towards me 13 and Rallie at least as an initial instinct.</p> <p>14 Q. Okay. We discussed at least the 15 two cases you can recall where you participated 16 as a witness, again with the understanding of 17 the word witness. Have you -- have you ever 18 been told that going forward you should no 19 longer do that?</p> <p>20 A. I don't recall that.</p> <p>21 Q. Would you act in that role again if 22 another student came to you and requested it?</p> <p>23 MR. WOOD: Object to the form.</p> <p>24 THE WITNESS: So you're -- so if a</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|--|---|
| <p>1 student came to me and asked me to provide 2 like a letter like I did with [REDACTED]</p> <p>3 BY MR. GALLINARO:</p> <p>4 Q. Sure.</p> <p>5 A. I would at least consider the 6 request from the student and try to understand 7 what it was they were hoping for with that 8 request.</p> <p>9 Q. So you haven't -- you haven't been 10 advised by anyone at the university that that 11 isn't something that would be appropriate for 12 you to do again?</p> <p>13 A. I don't recall that.</p> <p>14 Q. Okay. I'm not suggesting that it 15 has happened; I'm just asking --</p> <p>16 A. Yeah. No.</p> <p>17 Q. Okay. So as far as you know, you 18 could -- you could do that again for another 19 student in another Title IX proceeding?</p> <p>20 A. Yeah. I mean, I'm not often told 21 what I can or can't do when it pertains to just 22 my clinical opinion or my clinical judgments, 23 and, again, that's how I see that letter, what 24 the purpose of that letter was. So I don't</p> | <p>Page 218</p> <p>1 notes.</p> <p>2 THE WITNESS: Sure.</p> <p>3 MR. GALLINARO: And your counsel 4 may have questions for you, but let's go 5 back on the record at, let's say, 2:15.</p> <p>6 THE WITNESS: Okay.</p> <p>7 MR. WOOD: And when you come back 8 on the record, Micah will take over from 9 there.</p> <p>10 - - -</p> <p>11 (A short recess was taken.)</p> <p>12 - - -</p> <p>13 BY MR. GALLINARO:</p> <p>14 Q. I just had a couple of followup 15 questions. Do you recall at the very beginning 16 of the deposition I had asked you questions 17 about whether you had been deposed before, and 18 you identified a couple other cases?</p> <p>19 A. Yes.</p> <p>20 Q. One of which was a sexual assault 21 case -- W&L students.</p> <p>22 - - -</p> <p>23 (Discussion was held off the 24 record.)</p> |
| <p>1 recall ever being told anything with regard to 2 sort of that clinical, how I would proceed 3 clinically in that way.</p> <p>4 Q. Do you know if anyone else from the 5 Counseling Center has done something similar? 6 And by that I mean act as a witness or provide 7 a letter in support of someone in a Title IX 8 proceeding.</p> <p>9 A. I don't know.</p> <p>10 Q. Have you had any discussions with 11 any of your colleagues that would lead you to 12 believe that they had done that?</p> <p>13 A. I mean, I can't say that hasn't 14 happened, but I don't recall specifically.</p> <p>15 Q. Well, I'm just asking you if you 16 have any personal knowledge that anyone has 17 done that.</p> <p>18 A. Right. I'm saying I don't recall 19 specifically -- like I don't recall 20 specifically hearing that from somebody.</p> <p>21 Q. Okay.</p> <p>22 MR. GALLINARO: I'm going to just 23 see if -- let's take a five-minute break.</p> <p>24 I think I'm done. I just want to check my</p> | <p>Page 219</p> <p>Page 221</p> <p>1 - - -</p> <p>2 BY MR. GALLINARO:</p> <p>3 Q. All right. So you recall at the 4 very beginning of the deposition I had asked 5 you questions about other cases in which you 6 had been deposed?</p> <p>7 A. Correct. I remember that.</p> <p>8 Q. And you had identified at least one 9 case involving sexual assault that involved W&L 10 students, correct?</p> <p>11 A. Right.</p> <p>12 Q. Okay. And so now, with that in 13 mind and knowing that you were interviewed in a 14 case involving [REDACTED] were you aware 15 that [REDACTED] case resulted in 16 litigation?</p> <p>17 A. Yes.</p> <p>18 Q. And was that the case that you were 19 deposed in?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. And can you recall whether 22 there were -- I think you said the other one 23 had to do with a suicide, correct?</p> <p>24 A. A suicide attempt.</p> |

JANET BOLLER, PSYD - CONFIDENTIAL/UNDER SEAL

| | |
|--|--|
| Page 222 | Page 224 |
| 1 Q. Okay. And there were no other 2 cases involving sexual assault, correct? 3 A. Where I was deposed? No. 4 Q. Okay. I believe those are all the 5 questions that I have, but hang on a second. 6 Oh, were you -- were you called as 7 a witness by W&L or were you called as a 8 witness by the other side in that [REDACTED] 9 litigation, or do you know? | 1 (Deposition concluded at 2:20 p.m.) 2 - - - 3 4 5 6 7 8 9 |
| 10 A. Do I know? 11 Q. In other words, do you know who 12 asked for your deposition? 13 A. Well, I was deposed by the opposing 14 counsel. That, I remember. If that helps. 15 Q. Okay. 16 A. In other words, they led the 17 questioning. 18 Q. Okay. And that matter was one in 19 which [REDACTED] was a -- was the accusing 20 student, and the lawsuit was brought by the 21 responding student, correct? 22 A. She was the complainant. That's 23 right. 24 Q. But in the litigation -- the | 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 |
| Page 223 | Page 225 |
| 1 litigation was brought by the respondent in 2 that case, correct? 3 A. Yes. I believe so. 4 Q. Okay. Just give me one moment. 5 MR. GALLINARO: I think those are 6 all the questions that I have. Yep, those 7 are all the questions that I have. Thank 8 you for your time. I don't know if your 9 counsel may have some followup. 10 MR. SCHWARTZ: I do not have any 11 questions. 12 MS. SHEARER: But you do want her 13 to read, right? We do want her to read, 14 right? 15 MR. SCHWARTZ: Correct. That's 16 right. She will read. 17 MR. GALLINARO: All right, 18 Dr. Boller, thank you very much for your 19 time today. I appreciate it. And you are 20 free to go. 21 THE WITNESS: You're welcome. 22 - - - 23 (Witness excused.) 24 - - - | 1 2 3 C E R T I F I C A T E 4 5 I do hereby certify that I am a Notary 6 Public in good standing, that the aforesaid 7 testimony was taken before me, pursuant to 8 notice, at the time and place indicated; that 9 said deponent was by me duly sworn to tell the 10 truth, the whole truth, and nothing but the 11 truth; that the testimony of said deponent was 12 correctly recorded in machine shorthand by me 13 and thereafter transcribed under my supervision 14 with computer-aided transcription; that the 15 deposition is a true and correct record of the 16 testimony given by the witness; and that I am 17 neither of counsel nor kin to any party in said 18 action, nor interested in the outcome thereof. 19 WITNESS my hand and official seal this 20 28th day of August, 2020. 21 22 23 24 |

57 (Pages 222 - 225)

| | |
|--|---|
| Page 226 <p>1 JANET BOLLER, PHD 2 INSTRUCTIONS TO WITNESS 3 4 Please read your deposition over 5 carefully and make any necessary corrections. 6 You should state the reason in the appropriate 7 space on the errata sheet for any corrections 8 that are made. 9 After doing so, please sign the errata 10 sheet and date it. 11 You are signing same subject to the 12 changes you have noted on the errata sheet, 13 which will be attached to your deposition. 14 It is imperative that you return the 15 original errata sheet to the deposing attorney 16 within thirty (30) days of receipt of the 17 deposition transcript by you. If you fail to do 18 so, the deposition transcript may be deemed to 19 be accurate and may be used in court. 20 21 22 23 24</p> | Page 228 <p>1 ACKNOWLEDGMENT OF DEPONENT 2 I, JANET BOLLER, PSYD, do hereby 3 certify that I have read the foregoing pages 4 to and that the same is a correct 5 transcription of the answers given by me to the 6 questions therein propounded, except for the 7 corrections or changes in form or substance, if 8 any, noted in the attached Errata Sheet. 9 DATE SIGNATURE 10 11 Subscribed and sworn to before me this 12 day of , 2020. 13 14 My commission expires: 15 16 17 18 Notary Public 19 20 21 22 23 Assignment No. 4207492 24</p> |
| Page 227 <p>1 ----- 2 E R R A T A 3 ----- 4 PAGE LINE CHANGE 5 _____ 6 Reason for Change: _____ 7 _____ 8 Reason for Change: _____ 9 _____ 10 Reason for Change: _____ 11 _____ 12 Reason for Change: _____ 13 _____ 14 Reason for Change: _____ 15 _____ 16 Reason for Change: _____ 17 _____ 18 Reason for Change: _____ 19 _____ 20 Reason for Change: _____ 21 _____ 22 Reason for Change: _____ 23 24 Assignment Number: 4207492</p> | Page 229 <p>1 R. Craig Wood,Esquire 2 cwood@mcguirewoods.com 3 August 28, 2020 4 RE: John Doe v. Washington & Lee University 5 8/12/2020, Janet Boller , PsyD (#4207492) 6 The above-referenced transcript is available for 7 review. 8 Within the applicable timeframe, the witness should 9 read the testimony to verify its accuracy. If there are 10 any changes, the witness should note those with the 11 reason, on the attached Errata Sheet. 12 The witness should sign the Acknowledgment of 13 Deponent and Errata and return to the deposing attorney. 14 Copies should be sent to all counsel, and to Veritext at 15 cs-midatlantic@veritext.com 16 17 Return completed errata within 30 days from 18 receipt of testimony. 19 If the witness fails to do so within the time 20 allotted, the transcript may be used as if signed. 21 22 Yours, 23 Veritext Legal Solutions 24 25</p> |

[& - abuse]

Page 1

| | | | |
|--|--|--|---|
| & | 1801 1:23 | 28 3:9 229:3 | 7 |
| & 229:4 | 183 4:13 | 281 165:19 170:5 | 7 4:4 70:2,7 72:1 |
| 0 | 19 4:22 | 28th 225:19 | 70 4:4 |
| 00023 1:5 | 19102 2:4 | 2:15 220:5 | 73 4:6 |
| 1 | 19103 1:24 | 2:20 224:1 | 757 61:7 |
| | | 2nd 34:6 | 759 57:6,10 |
| | | | 761 63:24 |
| 1 3:9 28:9 29:1 71:21 74:7 98:2,6 98:9 | 2 3:11 38:11 71:24 | 3 | 7th 4:5,10 30:18 44:18 70:12 121:3 |
| 10 4:11 113:13,14 113:19 134:16 142:9 162:3 | 2000s 19:15 | 30 226:15 229:17 | 121:8 124:6,19 |
| 10:20 121:8 | 2001 19:15 | 30th 33:1 36:1 | 125:9 |
| 11 4:12 137:5,17 165:19 | 2003 19:16 20:1 | 38 3:11 | |
| 11/15/2015 3:18 46:7 | 2004 20:2 | 39 3:14 | |
| 11/7/2014 4:17 205:23 | 2007 21:15 | 3900 2:4 | |
| 113 4:11 | 2010 21:15 22:12 | | 8 |
| 114 4:22 | 2011 3:13 38:20 52:5,24 | 4 | 8 4:6 73:21 74:1 100:7 103:8 106:6 |
| 12 1:10 21:2 89:5 172:18 | 2012 29:2 | 40 172:18 | 8/12/2020 229:5 |
| 120 4:9 | 2013 42:13 45:1 | 41 3:16 | |
| 1288 2:10 | 2014 204:14 | 4207492 227:24 228:23 229:5 | 9 |
| 12:38-1:10 173:2 | 2015 10:18 30:18 204:15 | 434-977-2558 2:11 | 9 4:9 30:18 120:11 120:16 125:5 |
| 13 4:13 33:1 35:19 173:10,15 | 2015/2016 204:16 209:10 | 45 116:11 119:4 | 9:00 1:18 |
| 137 4:12 | 2016 3:22 4:5,7 10:18 33:1 35:19 | 47 3:17 | |
| 13th 115:4 124:9 124:20 | 36:2 54:14 61:3 | 4th 29:22 | a |
| 14 4:16 33:7 98:6 170:12 205:8,13 205:21 | 70:12 74:5 75:7 76:12 148:10 | | a.m. 1:18 121:8 |
| 14th 29:2 | 2017 4:10,15 114:8 121:4 133:19,23 | 5 | aau 50:14,15,18 |
| 1500 2:3 | 137:11 174:1 | 5 3:17 46:3 51:8 71:24 | ability 31:3,7 50:7 109:12 120:3 168:6 172:8 |
| 16 35:18 98:8 | 2017/2018 3:16 | 530 2:10 | able 34:22 36:17 |
| 1622 225:22 | 42:4 | 54 3:19 | 37:16 49:14 67:22 80:4 87:16 92:15 |
| 17 4:15 174:1 | 2020 1:10 225:19 228:12 229:3 | | 115:12 122:19 |
| 1800 1:23 | 205 4:16 | 6 | 123:11 125:21 |
| | 215-864-9600 2:5 | 6 3:4,19 29:22 54:7 64:1 71:24 | 126:10 134:6,7 |
| | 22902 2:11 | 616 1:16 | 150:14,15,20 |
| | 24 215:24 | 652 2:10 | 154:9,13 160:17 |
| | 24th 114:8 115:2 | 689 76:20 | 183:18,19 |
| | | 690 81:4 106:6 | absolutely 54:1 |
| | | 693 91:9 | 85:10 |
| | | 694 103:8 | absorbs 189:19 |
| | | 6:19 1:5 | abuse 58:7 158:23 159:4 217:6 |

[academic - andrew]

Page 2

| | | | |
|---|---|---|--|
| academic 13:8,11 18:13 204:15,16 209:10 accept 143:19 186:7 200:8 accepted 145:2 211:24 accepting 144:2 access 125:22 account 65:24 97:1 accounting 178:21 accuracy 229:9 accurate 61:17 80:23 89:14 121:4 177:6 180:14 226:18 accurately 138:10 151:7 accusation 104:11 accusations 43:3 accused 85:4 86:10 102:24 103:6 104:2,3,6,22 105:4,24 212:12 213:9 214:7 accuser 84:16,17 85:8 86:12,24 97:12 accuser's 109:12 accusers 97:6 108:23,24 accusing 222:19 acknowledge 5:4,7 acknowledgment 228:1 229:12 act 177:6 194:23 209:4 217:21 219:6 acted 204:1 210:23 | action 9:22 130:12 130:15 225:16 actions 77:16 active 72:6 117:6 actively 194:7 196:8 activity 25:11 176:23,24 177:11 178:11,14 202:17 203:22 acts 177:5 191:16 actual 15:12,13 34:16 141:24 acute 105:10 136:15 141:8 143:11 157:22 158:14 160:1 166:15 180:6 181:8 185:11 187:20 acutely 190:4 addition 206:4 additional 75:14 112:17 141:17 additionally 197:23 address 78:24 102:14 105:23 106:3,5 170:14 171:1 177:4 180:9 190:23 addresses 170:24 addressing 108:22 adds 101:14,20,20 adequate 126:10 adhere 194:9 195:11 196:16 adhered 193:23 adjudicate 83:14 adjudicators 83:22 86:5 94:17 | 97:9 administer 5:9 administered 5:8 administrative 217:11 adolescent 20:8 adolescents 20:7 21:20 adults 20:7 48:10 adversarial 69:16 122:3 advice 67:21 161:8 advised 218:10 advising 95:22 96:4 advisor 30:20 31:2 31:20 32:22 46:22 61:21 121:9 122:13 163:11 advisor's 121:19 advisors 31:8,14 33:19 36:19 55:21 55:21 56:13 125:3 125:7 164:1 206:19 207:6,7,9 affect 12:19 86:7 101:11 121:13 139:11 150:7 162:14 171:6,7 182:10,14 200:15 201:5 202:14,15 affiliated 213:18 aforesaid 225:4 agallinaro 2:5 age 48:11 ago 10:4,19 12:11 13:12 49:17 78:8 131:3 agree 5:17,19 26:21 72:5,8 86:15,22 87:8,13 | 87:20,24 88:7,9 90:10,23 97:8 104:4 137:21 143:18 145:20 148:23 149:5 167:7 168:4 169:3 169:9,13,16,19 173:23 193:2 agreed 131:11 agreeing 195:18 agreement 5:13,14 5:23 ah 90:1 ahead 72:23 85:17 174:16 192:23 212:16 aided 225:12 aids 12:23 19:3 154:4 alcohol 193:10 198:2 203:20,23 allegation 104:15 104:16,18 alleged 47:19 139:10 214:15 alleges 200:5 alleging 215:6 216:14 allotted 229:20 allow 92:9 allowed 44:24 alternatives 198:9 amalgamation 58:9 ambiguous 106:10 106:16 107:21 108:5,16 109:4 amnesia 166:7 amount 82:24 andrew 2:2 5:16 7:2 |
|---|---|---|--|

[andy - associated]

Page 3

| | | | |
|---|----------------------------|---------------------------|--------------------------|
| andy 85:15 | appointments | 99:2 102:20 | 43:17,24 47:19,19 |
| angry 103:11 | 114:3 | 112:10,11 138:20 | 48:9 52:12 57:16 |
| answer 7:14 8:6 | appreciate 6:12 | 160:8 161:21,23 | 61:12 62:6,8,17,24 |
| 8:16 13:8 62:19 | 8:7 223:19 | 161:24 162:11,23 | 63:10,19 65:9 |
| 68:24 69:1,5,6,19 | approach 70:24 | 164:10,14 165:2 | 70:11 71:17 74:3 |
| 72:23 73:16 80:14 | approaches 93:23 | 175:4 178:4 188:2 | 83:3 85:5 86:11 |
| 85:15,15 131:15 | appropriate 65:2 | 188:14 189:13 | 139:24 140:2,7 |
| 148:2 176:4 180:8 | 129:13,17 150:7 | 191:3,5 204:10 | 145:12 155:12 |
| 185:7 188:7,18,24 | 180:15 181:11 | 207:5 216:13 | 159:4,19,22 167:4 |
| 189:4 197:17 | 218:11 226:5 | 218:1 220:16 | 179:17 190:13 |
| 207:14,16,20 | april 4:10,15 | 221:4 222:12 | 200:19 211:6 |
| answered 103:2 | 115:4 121:3,8 | asking 13:1 69:8 | 212:9,12 213:20 |
| 189:16 | 124:6,9,19,20 | 80:15 94:2 101:2 | 214:16 216:15 |
| answering 32:9 | 125:9 174:1 | 104:18 122:12 | 220:20 221:9 |
| answers 175:2,6,6 | area 72:21 111:8 | 123:19 130:10 | 222:2 |
| 228:4 | 140:21 | 140:9 154:21,22 | assaulted 64:9 |
| ██████████ 7:5 56:9 | areas 22:19 89:22 | 155:8,10,17,21 | 65:3 141:16 |
| 56:12 146:13 | 170:22 | 156:17 157:9 | 143:22 145:16 |
| 194:21 | arrangement 5:11 | 158:22 159:11 | 146:13 157:19 |
| anxiety 59:1 | arrive 119:11 | 161:6,7,7,15 162:6 | 158:11 194:2 |
| 118:15 158:19 | 186:17 | 167:1 168:5 | 215:6 |
| 180:7,20,24 181:6 | arrived 128:17 | 176:10 177:1 | assemble 75:6 |
| 185:12 | 186:20 | 184:17 185:14,17 | assess 85:6,10 |
| anybody 17:4 | arriving 128:5 | 204:10 206:6 | 87:15 93:24 101:6 |
| anymore 106:14 | 154:19 | 216:7 218:15 | assessed 190:18 |
| anyone's 81:16 | article 50:3 | 219:15 | assesses 95:10 |
| apologize 17:12 | articles 12:7,11,14 | asks 56:21 | assessing 85:22 |
| 191:8 | 13:2,3,9 14:3,4 | asleep 138:15 | 126:15,16 144:12 |
| appear 166:3 | 24:21,23 25:9 | 139:1,8 176:7 | 155:17 156:13 |
| 183:1 199:13 | 49:3,8 | 202:18,20,23 | assessment 58:14 |
| appearances 2:1 | ascribe 166:6 | aspect 11:5 109:23 | 58:20 119:22 |
| appears 29:1,21 | asd 180:14 182:24 | 165:23 166:15 | 146:6 162:18 |
| 30:17 32:5,24 | 184:11 186:21 | 178:5 188:13 | 190:10 |
| 46:6 78:18 128:8 | 187:6 | aspects 138:3 | assignment 227:24 |
| 134:17 189:4 | aside 11:18,19,20 | 165:3 166:20 | 228:23 |
| applicable 139:15 | 11:20 13:15 63:7 | 176:11 | assist 31:9 57:3 |
| 229:8 | asked 8:12,17 9:18 | assault 4:4,6 10:7 | assistance 90:10 |
| apply 84:16 85:7 | 28:17,17 41:7 | 10:16 14:5,12 | assistant 217:12 |
| 86:12 97:6 | 47:1 53:14 72:20 | 15:1 22:19 23:10 | associated 22:21 |
| appointment | 76:6,14 84:1,12 | 24:20 26:21 28:1 | 22:24 79:18 92:3 |
| 116:5,10 212:16 | 85:23 88:22 95:4 | 40:19 41:14 43:7 | 103:13 |

[association - believes]

Page 4

| | | | |
|---------------------------|---------------------------|--------------------------|--------------------------|
| association 23:22 | attributable 180:5 | back 3:14,16 9:20 | behavior 20:11,13 |
| associative 165:17 | 185:9 | 12:12 14:3,23 | 20:14 53:1 150:6 |
| 165:21 166:17 | attribute 67:4 | 24:9 40:8,11 41:4 | behavioral 21:4 |
| assume 8:17 35:23 | audience 82:10 | 42:3 45:1,2 52:3 | 144:14 171:8 |
| 36:3 40:3 46:10 | august 1:10 29:2 | 52:24 68:5 72:1 | behaviors 62:18 |
| 91:16 104:14,17 | 33:1 36:1 74:8,15 | 74:7 98:6 106:6 | 102:15 |
| 104:19 123:15 | 76:1 89:5 225:19 | 120:10 137:4 | belief 190:1 |
| 130:11,14 136:18 | 229:3 | 139:18,19 142:8 | 196:21 197:6 |
| 182:17 186:14 | author 12:4,9,10 | 149:21 165:15 | believable 42:16 |
| assuming 112:22 | 25:6 | 168:9,20 172:4 | 68:17 |
| 163:22 168:15 | authored 12:7 | 173:5 177:15 | believe 16:20,23 |
| 193:22 | authorities 59:17 | 191:9 205:17 | 19:6 25:15 40:14 |
| assumption 186:1 | 60:12 | 220:5,7 | 44:15 48:14 50:11 |
| assumptions | authority 59:5 | background 12:2 | 50:23 51:19 52:7 |
| 192:16 | 72:11 73:8 | 111:15 217:8 | 52:18 56:11 61:16 |
| atixa 15:17 | available 6:12 | baker 20:17 | 62:15 64:16 65:2 |
| atlantic 1:23 | 115:20 147:14 | based 62:2 81:12 | 65:7,12 66:12 |
| attached 226:12 | 229:6 | 108:12 115:13 | 71:4 72:9 73:3,3 |
| 228:7 229:11 | avoid 152:11 | 119:19 122:6 | 74:11 76:2,23 |
| attempt 10:13 | avoidance 151:11 | 136:18 145:24 | 78:17 86:6 104:9 |
| 221:24 | 151:18 170:3,4,5 | 146:5,23 147:7 | 109:5,7,10,14 |
| attempted 61:15 | avoided 152:1 | 150:3 160:10 | 116:14 119:3 |
| 62:8 63:2,14 | avoids 151:20,21 | 167:16 172:14 | 133:4,11 135:12 |
| attempts 20:14 | awake 138:23 | 179:13,13 191:13 | 136:3,8,12 142:5 |
| 151:20 | aware 49:19,22,24 | 192:16,18 194:24 | 144:8,10 163:12 |
| attend 16:12 | 78:4 87:3 92:16 | 203:20 207:5 | 167:3 170:14 |
| attended 13:22 | 118:13 127:10,14 | baseline 66:12 | 175:4,20 183:4 |
| 14:9,10,16,21,24 | 127:23 128:1,3,9 | basically 34:20 | 189:7 194:17 |
| 15:21 16:11,19,21 | 133:21 141:5 | 75:17 | 196:12 199:20 |
| 16:24 17:9,19 | 147:17,22 148:7 | basis 185:1 194:1 | 201:14 204:1 |
| 18:3,5 24:1,6 | 153:3 193:10 | bear 103:22 | 205:17 209:2 |
| 29:17 41:9 47:13 | 199:17 200:2,12 | 211:19 | 210:14 211:1 |
| 81:20 | 203:20 206:18 | becoming 91:22 | 219:12 222:4 |
| attending 24:14 | 214:14 221:14 | 92:6,8 | 223:3 |
| attention 158:17 | awareness 3:12 | beginning 26:9 | believed 78:9 |
| 158:18,19 | 30:13 33:24 34:2 | 36:21 78:2 220:15 | 111:15 189:23 |
| attorney 226:14 | 38:18 | 221:4 | 196:6 |
| 229:13 | b | behalf 5:17,18 | believes 187:21 |
| attorneys 5:2 | b 3:6 31:20,22 | 47:11 114:6 | 188:15 195:12 |
| 11:21 | 59:15 168:15 | 207:12 208:18 | 197:16 |
| | 169:1,5 | 210:18,23 | |

[believing - cautioned]

Page 5

| | | | |
|----------------------------|---------------------------|---------------------------|----------------------------|
| believing 194:1 | 134:23 142:18 | bring 65:7 | care 215:4,22,22 |
| bell 192:10 | 147:19 148:8,22 | bringing 29:2,9,10 | career 157:6 |
| bennett 60:8 | 149:19 164:16,18 | 34:14,19 | careful 107:8 |
| bennington 18:3 | 204:6,22,24 | brings 47:20 | carefully 226:4 |
| bessel 25:1 59:8,15 | 209:17 210:5 | broad 62:17 63:6 | case 7:3 9:14,20 |
| best 6:11 7:21 8:9 | bodies 31:18 | 111:19 | 10:20,23 25:22 |
| 8:13 10:14 14:17 | bodily 189:9 | broader 62:24 | 27:17 43:2 53:14 |
| 16:21 18:24 19:14 | body 25:2 32:11 | broadly 63:1 | 85:2 86:18 108:18 |
| 24:24 31:3,7,13 | 140:12,19 189:18 | brought 11:3 | 118:11 122:14 |
| 33:12 46:17 59:14 | boller 1:15,16 3:3 | 222:20 223:1 | 127:18 129:12,13 |
| 76:8 77:7 89:9 | 4:8,9,11,16 5:21 | building 157:8 | 130:15,16 131:1 |
| 114:24 120:3 | 6:5 74:5 121:8 | bullet 91:11 93:15 | 132:16,16 133:18 |
| 136:9 138:5 151:8 | 173:5 181:14 | 170:7 | 138:1 144:3 |
| 168:6 186:17 | 188:8 197:22 | busy 113:3,7 | 149:12,15,15 |
| beth 27:15 | 198:2 223:18 | bystander 29:3,9 | 154:23 157:1,13 |
| better 129:16,19 | 226:1 227:1 228:1 | 29:10,13 34:8,15 | 160:6 163:2 165:9 |
| 161:4 214:2 | 229:5 | 34:17,20,22 | 165:9,10 174:18 |
| beyond 68:6 80:22 | boller's 4:13 | c | 191:14,23 196:10 |
| 152:7,8 | bolster 164:6 | c 225:1,1 | 199:22 202:17 |
| binder 6:17,21 | books 12:5 24:22 | calendar 98:2 | 206:14,16,23 |
| 28:3 | 24:24 | 99:22 | 210:10 211:23 |
| bio 213:20 | boston 19:20 | call 83:1 212:14 | 220:21 221:9,14 |
| bisexual 30:11 | 20:19 | 216:10 | 221:15,18 223:2 |
| bit 49:11 51:23 | bottom 57:7 61:6 | called 15:17 19:22 | cases 9:8,11 10:5,7 |
| 52:23 75:11,13,19 | 64:20 82:2,5 | 20:11 25:5 34:19 | 83:15 158:23 |
| 82:15 151:19 | box 2:10 68:18 | 37:4 39:7 48:4 | 204:19 207:19 |
| 153:24 181:14 | boy 48:20 | 50:14 74:3 129:13 | 210:20 213:19 |
| bits 92:20 | brain 89:22 93:4 | 204:23 222:6,7 | 217:15 220:18 |
| blacked 198:1 | 108:13 | calmly 179:4 | 221:5 222:2 |
| 203:19 | brattle 19:22 | camouflage 77:16 | catch 81:2 |
| blatantly 67:2 | 20:16 | campbell's 60:5 | categories 169:21 |
| block 197:23 | breach 10:2 | campus 24:20 | 169:22 |
| 201:13 | break 31:24 32:3 | 25:24 31:11 37:7 | category 44:11 |
| blocking 201:22 | 60:24 110:15 | 50:15,17,23 72:19 | 166:16 |
| 202:1 203:3 | 172:22 173:6 | 151:22,23,24 | cause 189:24 |
| board 4:5 23:5 | 219:23 | campuses 14:13 | 198:6 |
| 33:2,13,14 35:20 | breakfast 88:23 | 40:13 | caused 187:21,24 |
| 70:11,17 71:2,6,9 | 89:2,4,7,7,8,9,9 | capacities 43:4 | 188:17 |
| 72:17 74:10 76:7 | brief 30:8 | capacity 47:11 | causes 170:20 |
| 84:8,10 87:4 | briefly 173:22 | capture 8:6 | cautioned 51:1 |
| 102:22 123:10 | | | |

[celebrity - comments]

Page 6

| | | | |
|--------------------------|---------------------------|----------------------------|---------------------------|
| celebrity 43:1 | characterize 107:9 | clarify 85:11 | close 92:6,18 |
| center 17:17 19:3 | 134:5 | 153:8 157:20 | 191:8 |
| 19:23 20:16,18 | charge 212:23 | 169:6 215:10 | closer 88:13 91:20 |
| 22:8,10 26:11 | charitable 23:13 | class 9:22 | club 23:6 |
| 47:18 55:7,15 | 23:19 | classes 114:4 | cognitive 12:19 |
| 56:23 57:3 136:6 | charities 22:22 | classify 104:10 | 156:9 171:8 |
| 212:15 215:13,14 | charity 23:3 | clear 8:11 14:4 | cognitively 189:8 |
| 215:16,19 216:1 | charlottesville | 78:15,19 106:9,16 | coinciding 131:6 |
| 216:12,14 219:5 | 2:11 | 107:20 108:5,16 | collaborated |
| centre 2:3 | chart 75:21 117:5 | 108:21 109:4 | 100:19,22 |
| certain 17:22 | 117:6 138:8 | 141:19 145:11 | collaboration |
| 25:21 92:21 159:1 | cheat 156:16 | 167:20,22 168:7 | 101:3 |
| 183:18,22 184:1,2 | check 68:18 152:3 | 198:7,18 215:21 | colleague 61:20 |
| certainly 44:8 | 152:4 219:24 | 216:6 | colleagues 42:19 |
| 62:12 84:23 94:2 | checked 48:23 | clearer 88:21 | 136:5 219:11 |
| 99:24 125:20 | checklist 156:16 | client 134:23 | collecting 190:16 |
| 126:13,20 129:7 | childhood 18:4 | cliff 134:18 | collective 171:17 |
| 151:9 154:12 | children 21:3,4,20 | climate 50:16,17 | 171:21 |
| 158:12 160:7 | children's 20:18 | 50:23 | college 12:22 |
| certainty 119:7 | chosen 73:11 | clinic 19:22,23 | 14:13 18:2,3 19:2 |
| 167:24 | circumstance | 20:5 215:20 | 40:12 48:11 61:13 |
| certifications | 64:24 97:7 102:17 | clinical 17:16 18:8 | 61:14 77:14 |
| 18:16 | circumstances | 18:17 21:7 22:6 | column 33:15 |
| certify 225:3 | 66:8,17 129:16 | 58:4,23 66:6 95:8 | come 52:20 57:23 |
| 228:2 | cited 78:16 | 96:6 124:2 145:9 | 66:7,24 67:1,4,18 |
| cetera 108:13 | claim 9:24 11:3,5 | 145:23 146:5,22 | 67:20,21 68:1 |
| 172:11 215:23 | 88:12 137:21 | 147:4,7,10,24 | 74:17 87:3 101:2 |
| chair 164:16 | 138:14 142:23 | 148:2,6 149:17 | 102:24 117:20 |
| chance 205:19 | 144:19 145:2 | 150:8 151:7 | 122:2 155:6 157:7 |
| change 110:6 | 164:7 165:13 | 152:24 153:11 | 161:4 181:2,13 |
| 119:18 156:5 | 191:4 | 162:18 165:5 | 210:4 213:21 |
| 227:4,6,8,10,12,14 | claimed 137:23 | 190:10,15 191:5,6 | 220:7 |
| 227:16,18,20,22 | 143:3 | 196:20 207:1,17 | comes 160:22 |
| changed 31:5 | claiming 68:16 | 207:22 218:22,22 | 215:5 216:13 |
| 183:1 | 86:19 | 219:2 | coming 67:7,7 |
| changes 53:11 | claims 10:7 85:3 | clinically 33:20 | 69:14 91:24 116:4 |
| 91:17 226:11 | 86:9 87:3 192:13 | 66:6 97:19 170:20 | 122:5 134:13 |
| 228:6 229:10 | clarification | 171:13,24 211:4 | 144:1 161:5 |
| characteristics | 154:20 | 217:3 219:3 | commencing 1:18 |
| 79:20,24 | clarified 16:7 | clinician 126:13 | comments 44:21 |
| | | 154:13 | |

[commission - copied]

Page 7

| | | | |
|-----------------------------|--|---|--|
| commission 228:14 | conceive 69:14,22 concentrate 154:13 172:9 concentrating 8:23 154:9 172:6 concept 203:4 concepts 102:14 concern 66:14 122:6 concerned 122:10 157:17 concerning 34:24 61:11 conclude 167:2 178:12 182:4,24 198:20 concluded 146:24 224:1 concluding 145:7 145:15 166:5 198:12 conclusion 145:15 145:20,22 146:12 146:15 167:5 171:6 184:19 186:20 condition 118:5 120:7 124:12 171:8 180:5 185:10 conditions 158:9 condom 138:16 176:9 conduct 31:13 118:1 conference 15:13 16:24 17:5,6,7,9 conferences 13:23 14:8,11,15 16:11 17:20 24:1,7,15 81:19 | confident 127:20 confidential 1:12 confidentiality 152:8 207:2 confirm 74:1,6 confirmed 119:22 120:3 126:22 confirming 83:18 83:20,23 conflict 99:6 213:23 216:21 conflicted 214:10 conflicts 95:19 confused 103:11 connected 213:5 connection 129:8 216:4 conrad 2:2 conradobrien.com 2:5,6 conscious 138:23 139:1,7,9 140:2 141:5 consciously 137:22 consensual 176:22 177:5,10,21 178:10,13 191:17 192:17 194:24 200:3 201:16 consent 5:10 consequences 105:2 conduct 31:13 118:1 conference 15:13 16:24 17:5,6,7,9 conferences 13:23 14:8,11,15 16:11 17:20 24:1,7,15 81:19 | consistent 51:18 66:1 108:17 109:21,24 116:2 116:15 146:16,19 146:22 147:2,6 152:5 165:13 consistently 144:15 consult 128:4,8 134:9 135:6,10,13 135:24 136:1,2 consultation 134:13 consulted 136:4 contact 96:20 125:6 129:8 contacted 174:3 contains 74:24 content 100:6 125:3 135:7,14 180:1 contents 135:3 contested 194:23 context 84:15 90:4 contexts 90:9 continue 19:18 91:12 117:7,13,18 131:4 continued 4:1 182:21 continuing 14:23 119:19 contract 10:3 contrast 108:14,19 contributed 58:11 conversation 89:3 161:2,12 convey 80:3 coordinator 210:8 copied 75:17 |
|-----------------------------|--|---|--|

[copies - day]

Page 8

| | | | |
|--------------------------|--------------------------|---------------------------|---------------------------|
| copies 229:14 | correctly 74:3 | course 161:1 | cs 229:15 |
| coping 127:3 | 176:13 179:10 | court 1:1,19 5:2 | culled 58:3 |
| copy 137:6 142:12 | 225:10 | 7:14,17 8:2,6 | culmination 57:23 |
| corner 61:6 | counsel 2:17 5:10 | 59:12 226:18 | culture 45:13 |
| correct 7:6,7,11 | 5:23 11:9 53:15 | cover 36:9 100:19 | 217:7 |
| 11:1,2 14:7 22:10 | 53:24 114:21 | 100:20 | current 48:14 49:2 |
| 27:23 28:2 30:4 | 220:3 222:14 | covered 160:12 | 52:8 109:15 |
| 40:4,5,7,9 41:15 | 223:9 225:15 | covering 212:19 | 112:21 148:21 |
| 41:16 42:2,7 48:5 | 229:14 | 213:3 | 184:10 |
| 61:4 64:9,22 68:9 | counseled 212:8,8 | craig 2:9 5:18 | currently 16:8 |
| 72:3,4 73:13,17 | 212:11 | 72:24 141:12 | 23:4 109:21 |
| 76:9 79:15 80:12 | counseling 17:17 | 200:22 207:14 | curry 27:15 |
| 81:8 82:18 84:16 | 21:2 22:7,9 26:7 | 229:1 | cut 16:6 43:14 |
| 85:8 97:24 98:19 | 26:11 47:18 55:7 | credibility 83:9 | 197:2 |
| 98:20 103:16,17 | 55:15 56:23 57:3 | 85:7,10,13,23 86:7 | cv 1:5 |
| 105:24 106:5 | 65:8 67:5 68:8 | 87:16 96:13 101:6 | cwood 2:12 229:2 |
| 107:22 111:11 | 114:2,9 117:8,21 | 101:11,14,21 | cycles 92:10 |
| 112:14,16,20 | 117:24 127:2,7,9 | 102:3,7 103:5,15 | d |
| 114:2,11 119:2 | 127:21 128:14 | 103:22,24 110:19 | d 3:1 18:8 59:16 |
| 136:22 143:15 | 134:3 136:6 | 191:4 | 170:19 171:10,18 |
| 144:19,24 145:1,3 | 149:17 163:16 | credible 68:14 | daily 155:24 179:1 |
| 145:12 146:13 | 178:1 212:15 | 88:18 90:6 96:24 | 179:3 |
| 147:1,14,21 | 213:9 214:7 | 102:16 | data 49:20 87:4 |
| 152:19 162:3,4 | 215:13 216:1,2,4 | criminal 15:7 | date 24:19 25:12 |
| 163:19 165:23 | 216:12,14 219:5 | 16:17 92:1 | 40:14 117:8 |
| 166:2,5 168:1,14 | counselor 27:12 | criteria 136:15,20 | 124:20 125:19 |
| 168:18,23 169:9 | 55:4 64:13 65:5,6 | 139:13,18 141:23 | 137:11,12 200:18 |
| 170:15 172:16 | 66:19 127:11 | 143:14,16 146:1,4 | 200:24 226:9 |
| 174:2 176:19 | 128:2,9,15,16 | 160:3 165:16 | 228:9 |
| 179:14 180:9,10 | 129:1 133:22 | 167:8 168:11 | dated 3:18 29:22 |
| 180:16 181:18 | 134:1,2 136:24 | 169:14 171:9 | 30:18 35:18 46:7 |
| 185:1 187:13 | 137:2 145:4 182:2 | 172:2 176:1 | 74:13 115:4 |
| 188:5 191:2 196:3 | 208:8 213:6,13 | 178:24 180:4 | 205:23 |
| 199:23 204:3 | counselors 36:15 | 181:8 185:8 192:6 | dates 14:20 |
| 208:8,9,13 212:9 | 54:19 55:6 56:6 | criterion 171:18 | david 76:24 77:9 |
| 221:7,10,23 222:2 | 214:13 | 182:13 | 79:13 |
| 222:21 223:2,15 | couple 29:8 35:14 | criticism 49:19,22 | day 89:11,21 99:9 |
| 225:13 228:3 | 195:10 214:20 | 49:24 | 113:1,8,9,23 114:4 |
| corrections 226:4 | 220:14,18 | criticized 51:3 | 176:9 190:12 |
| 226:6 228:6 | couples 12:24 | cross 85:3 86:9 | 212:18,20 225:19 |
| | | | 228:12 |

[days - different]

Page 9

| | | | |
|---|---|---|---|
| days 99:21 113:1 226:15 229:17 | depends 128:21 151:13 160:4 | 156:7 designed 20:12 | diagnoses 95:10 157:17 |
| dbt 20:12 | depiction 80:23 | despite 113:4 200:18 | diagnosing 139:11 |
| deal 23:19,23 24:17 215:1 | deponent 225:7,9 228:1 229:13 | detail 18:1 93:1 125:4 151:19 | diagnosis 58:13 105:9,15 119:12 |
| dealing 59:2 179:17 183:14 | deposed 9:2,9,10 9:20 220:17 221:6 221:19 222:3,13 | 180:23 199:23 details 88:12 | 119:18,22,23 120:8,9 126:15 |
| dealt 23:14,16 | deposing 226:14 229:13 | 90:13 95:6 176:6 178:20 212:22 | 128:5,17 136:24 |
| dean 71:4 | deposition 1:15 5:3,5,6 7:9 8:23 | detecting 12:20 | 137:9 141:8 |
| death 141:24 | 10:15 11:8 42:9 | detectives 92:3 | 144:16 145:14 |
| decades 40:16 | 74:21 116:19 | determination | 146:5 154:19 |
| deciding 147:19 | 122:1 131:12 | 107:14 191:4 | 158:13 161:19,22 |
| decision 163:3 | 148:11 173:21 | determine 66:4 | 162:6,21,24 166:2 |
| deck 74:18 100:4,7 100:8 103:8 110:16 | 220:16 221:4 | 104:24 118:4 | 166:23 167:9 |
| deemed 226:17 | 222:12 224:1 | 143:21 154:15 | 169:15 171:4 |
| defendant 1:8 2:13 5:19 | 225:13 226:3,12 226:16,17 | 155:8 | 180:24 181:12,21 |
| defensive 103:12 | depression 156:3 | determining 88:10 | 182:10,14,23 |
| defined 63:1 | der 25:2 59:8,16 | 154:17 | 183:17,19,20,23 |
| definitely 94:3 99:19 | derogatory 43:11 | detract 102:2,7 | 184:24 185:5,15 |
| definition 62:13 62:14,16,24 63:5,8 66:4 | describe 57:14 125:23 131:22 150:8 151:4,8 | detrimental | 186:2,11,17 |
| definitions 50:6 52:7 | 155:18 176:3 179:1 180:6 | 165:10 | 187:14 195:23 |
| definitive 198:23 | 185:10 | develop 57:19 | 196:3 |
| definitively 91:5 110:2 167:10 | described 14:4 33:18 51:11 | development 18:4 ████████ 4:9,11 31:22 47:5 113:12 | diagnostic 57:24 |
| degrading 43:6 | 145:10 146:3,10 | 114:6 120:1 121:1 | 58:15 136:14 |
| degree 18:8 96:7 119:7 167:24 | 146:21 147:3 | 121:3 136:11 | 139:17 141:23 |
| deliver 35:13 | 149:22 150:2 | 206:23 207:18 | 160:3 172:2 |
| demonstrating 101:13 | 179:12 195:15 | ████████ 160:6 206:19 210:11 | dialectical 20:11 |
| department 15:7 16:17 92:1 | describes 174:22 176:15 | devoted 112:13 | differed 157:14 |
| depending 97:11 105:18 182:14 | describing 38:23 103:9 | diagnose 105:7 119:6 134:6 | difference 180:6 185:10 |
| | description 3:8 4:3 32:1 91:17 | 190:12 | differences 158:15 |
| | | diagnosed 118:15 143:11 182:3 | different 19:11 22:3 25:23 43:4 |
| | | 186:19 187:9 | 48:3 49:4 51:14 |
| | | | 55:10,14 58:16,18 |
| | | | 58:24 71:12 74:18 |
| | | | 75:14 82:21 89:21 |
| | | | 89:22,24 95:20 |
| | | | 97:14 99:4,23 |
| | | | 132:9 137:1 |
| | | | 150:10 155:9,20 |

[different - earlier]

Page 10

| | | | |
|---|---|---|--|
| 156:1 159:21 163:17 184:18,19 200:23 202:15 213:13 differently 97:11 183:12 difficult 8:5 129:11 189:20 201:1,20,20 difficulty 8:22 154:8 202:10 [REDACTED] 206:16,19 207:13,18 208:4 221:14 222:8,19 [REDACTED] 206:23 210:11 221:15 direct 139:20 142:10 168:21 directly 35:15 122:22 123:12 134:21 139:23 142:3 director 17:2 216:1,2 disabilities 21:5 disciplinary 147:20 163:7,18 disclosed 37:18 64:11 discovery 3:9 25:21 28:16 36:5 121:1 204:11 discredited 76:24 77:4,20,22,23 78:4 78:19 79:2,10 discuss 77:9 103:14,18,20 125:2 191:12 206:22,24 discussed 43:19 46:12 81:10,13 | 82:23 94:1 111:7 112:12 122:1 133:5 144:7 187:2 189:13 192:8 202:19 217:14 discussing 61:1,10 103:23 109:11,14 135:2 157:11 discussion 80:9 101:5 103:4 174:7 174:9 176:20 220:23 discussions 207:3 219:10 disorder 105:10 105:11 118:15 119:6 136:15 141:8 143:12 157:22 158:14 160:2 166:16 180:7,8,20 181:8 182:23 185:11,12 187:20 188:15 190:3,6 194:20 disorders 58:16 180:12 display 153:5 dispute 148:24 177:17 disputing 50:3 disregarded 101:22,23 dissolved 39:15 distinct 158:21 distinction 62:7,9 77:3 distract 151:20 distraught 213:1 distress 161:9 170:21 171:12,20 171:24 | distressing 150:21 171:19 district 1:1,1 disturbance 154:2 154:6 170:20 disturbances 152:16 disturbed 190:4 diversity 71:15 division 1:1 56:3 doctor 66:13 doctoral 18:8 19:24 document 3:11,19 4:4 28:7 38:9,17 39:21 41:21 42:8 46:1 53:11 54:5 54:10 70:5,10 73:19 74:21 113:17 120:14 124:21 137:15 173:13,18,21 205:11 documents 4:20 11:18,22 25:21 175:22 doe 1:4 2:6 7:4 229:4 doing 6:11 8:4 34:17 39:1 51:3 155:3,14 157:5 164:11,13,17 193:21 209:13 226:8 domain 66:7 85:11 donated 24:3 door 191:9 dot 106:10,10,11 doubting 50:4,5 dr 4:9,11,13,16 6:5 121:8 173:5 | 181:14 188:8 197:22 198:2 223:18 drafted 162:2 drafting 13:4 drank 200:5,10 draw 156:6 160:15 drawing 155:22 161:3 dreams 150:22 179:1,2,3,6,18,19 180:1,2 202:23 drinking 193:5 drinks 193:13 195:10 drowsy 197:20 drug 66:14 200:12 201:10 drugs 197:18 199:16,19 200:18 200:23,24 dsm 58:16 136:21 137:8 141:22 150:1,4 165:15 168:9,23 169:12 170:5,10 dsm5 4:12 137:6 due 83:5 197:24 198:1 203:19 duly 5:22 225:7 duration 117:15 117:19 158:16 170:13 e e 3:1,6 17:13 37:4 59:15,15,16,22,22 225:1,1 227:2 earlier 10:21 27:10 34:14 36:11 48:2 51:11,19 59:21 92:1 97:5 |
|---|---|---|--|

[earlier - exhibit]

Page 11

| | | | |
|--|--|---|---|
| 112:12 113:22 133:5 136:19 148:11 182:12 189:16 early 19:15 121:24 156:14 easier 87:24 easiest 19:13 echo 18:11 38:2 93:7 213:7 educate 24:19 education 14:10 14:23 18:7,12 educational 18:1 effectively 67:23 effects 81:8 83:5 efforts 27:5,8 71:16 eggs 90:2 eight 154:8 either 8:21 9:5 12:16 13:4 17:5 46:23 53:15 56:6 56:11 77:15 125:2 126:21 130:5,7 134:12 136:24 138:23 160:8 174:5 191:19 194:23 200:16 elaborated 126:22 206:16,19,22 207:13,18 208:4 210:11,20 221:14 221:15 222:8,19 ellipsis 106:11 email 4:9 120:24 121:2,7,23 125:9 163:12 205:17 emails 16:2 emotional 21:4 156:8 171:7 | 203:11 emotionally 189:8 employ 93:22 employed 22:4,17 employees 55:22 employment 18:22 encoded 92:19 encompass 62:18 encounter 178:6 encountered 66:18 enforcement 92:4 entailed 51:9 entails 31:2 entered 203:14 entire 35:8 99:16 99:20 148:21 157:6 entirety 99:24 environments 43:6 equating 63:9 equipped 215:1 erase 200:12 errata 226:6,8,11 226:14 228:7 229:11,13,17 especially 56:2 92:14,17 104:2 108:19 158:7 esquire 2:2,3,9,9 229:1 essentially 10:2 77:11,20 172:17 199:4 establish 49:10,13 69:15 114:24 established 142:18 142:22,23,24 et 108:13 172:11 215:22 | evaluate 97:10,14 108:23 evans 71:4 73:5 evening 192:16 event 3:16 41:6 42:4 88:13 89:12 91:20 92:7 97:21 137:22 138:3,6 139:21,22 140:5,6 141:7 142:3,10 143:4,13 145:3,10 145:21,24 146:2 146:10 147:1,3,8 148:24 149:3,10 152:12 158:16 165:23 166:20,21 167:19 168:22 176:2,11,12,16 187:4,22 194:18 201:24 202:2,12 events 41:3 91:14 93:11 109:12 197:23 201:13 202:1 everyday 111:4 evidence 147:13 199:18 evident 82:22 88:14 evolve 93:20 evolved 51:17,23 52:2 124:9 126:4 evolving 91:13 93:11 101:13 109:2 124:17 ex 162:12 exact 81:2 92:15 162:14 exactly 15:6 44:3 65:17 102:19 164:9 166:12 | 172:3 174:15 187:15 204:9 examination 6:2 118:1 examined 5:23 example 36:20 39:5 66:14 67:1 68:1 92:7 102:15 128:23 129:9 141:11,14,17 169:23 170:2 examples 91:4 130:20 131:24 153:18 excessive 198:1 203:19 exchange 4:9 121:2 excluding 112:21 169:10 exclusively 112:13 excruciating 17:24 excuse 61:5 excused 223:23 executive 50:24 exhibit 3:9,11,14 3:16,17,19 4:4,6,9 4:11,12,13,16 28:9 38:11 39:23 41:23 46:3 51:8 54:7 64:1 70:2,7 71:21 73:21 74:1,7 98:2 98:6,9 100:7 103:8 106:6 113:13,14,19 120:11,11,16 125:5 134:16 137:5,17 142:9 162:3 165:19 173:10,15 188:3,5 |
|--|--|---|---|

[exhibit - firmly]

Page 12

| | | | |
|--|---|---|--|
| 205:8,8,13,21 exhibits 4:1 71:24 exist 114:17 158:20 exists 49:23 expand 68:6 expect 53:3 92:10 92:24 expected 26:17 expecting 157:23 experience 48:9 52:10 58:5,23 61:12 62:23 63:13 87:6 105:16 107:12 121:13 122:17,22 123:10 123:21 124:3,10 140:19 141:21 142:5 144:2,3 146:20 148:4 156:4 157:24 159:3,19,22 160:22 162:13 168:17 179:17 187:23 189:21,23 191:1 196:13 197:12 200:17,18 202:8 214:23 experienced 32:18 33:21 37:13 40:18 43:9,17,18 44:5,7 44:9,10 52:11 58:6 67:9 84:22 91:13 93:2 94:5 97:21 108:10 137:22 140:13 141:3 143:4 145:9 145:21,23 146:9 146:24 147:8 150:16 154:5 156:2 161:1 | 162:22 168:13,16 172:1 179:24 182:20 187:22 188:16 189:8 190:21 202:9 212:9 213:21 216:15 217:5 experiences 34:2 45:12 59:2 106:20 150:8,11 155:19 156:9,9 176:2 189:19 217:4 experiencing 33:22 58:1 139:16 140:1 142:3 152:6 158:2 159:16 160:16 182:6 191:2 192:13,14 expert 59:9 88:5 111:13 200:14 201:6 202:4 expertise 72:21 111:8 112:3 191:5 199:3,10 214:3 experts 81:20 189:7,11 expires 228:14 explain 67:14 93:15 118:5 123:9 198:14 201:15 explained 26:5 182:16 199:12 explaining 32:10 32:10 explanation 106:18 188:10,20 188:22 explanations 198:5 explosion 141:1 | exposed 139:23 143:12 145:3 exposure 139:20 141:24 142:10 143:17 168:22 express 197:15 extent 27:6 external 90:9 eye 96:20 eyes 153:11 f f 1:19 225:1,23 face 45:13 65:19 facilitators 34:9 35:13,17 facing 31:17 43:2 fact 44:13 86:5 113:4 127:18 137:24 141:21 142:17 160:10 199:15 factors 65:23 97:3 130:10,16,19,21 131:21 144:12 183:10 facts 69:15 factual 208:11 fail 226:16 fails 229:19 fair 8:18 167:2 178:11 208:14 fairly 21:18 77:1 fall 3:13,22 36:22 38:20 54:14 61:3 falls 166:16 false 104:15,16,18 falsely 104:5,22 105:4,24 familiar 15:16,23 50:15 51:4 60:4 74:23 201:4 | family 9:16 famous 43:2 far 90:16 218:17 feel 25:10 37:23 44:1,4 67:18 79:22 99:20 104:2 109:23 111:8 113:7 123:2 129:17 160:8 161:16 171:17 184:1 214:9 feeling 8:21 67:10 feels 77:5 128:10 129:11 153:4 187:16 194:15 195:21 fellowship 19:24 felt 78:24 79:11 105:16 122:19 126:9 167:16 183:22 197:19 female 86:24 field 15:2 59:5,9 77:1 78:11 92:4 109:16,19 fifth 9:6 83:1 figure 211:11 figures 43:1 file 14:23 118:9 files 11:18,22 53:6 fill 94:10 filled 95:6,16 96:8 final 197:14 205:7 find 49:4 169:2 finish 7:21,23 85:14,15 131:15 finishing 18:22 19:5,5 firm 53:16 firmly 141:2 |
|--|---|---|--|

[first - gallinaro]

Page 13

| | | | |
|---|--|--|------------------------|
| first 5:22 26:1 29:1 35:3,9 37:11 41:11 44:14 56:2 59:15 64:15 68:4 76:19 95:3 114:7 114:7 115:1,5 121:6 125:24 126:4,12 137:20 143:12 149:11 155:5,11 156:14 156:20 168:11,12 175:24 179:10 188:7,12 189:5 207:11 217:10 | followup 154:4 207:7 213:5 220:14 223:9 | formal 18:12 58:14 105:8 | functions 72:18 |
| foregoing 228:2 | formation 93:5 | further 5:7 44:16 | |
| foremost 155:5 | formed 92:19 | furtherance 163:14,15 | |
| forensic 147:23 | forming 196:3 | | g |
| forensically 148:1 | forms 55:10 58:7 143:9 | gad 182:3,19,24 184:7 185:21 186:2,11,19 | |
| form 61:12 69:2 69:18 72:12,22 | formulating 126:15 | gallinaro 2:2 3:4 5:16,16 6:4 7:2 28:11 38:13 40:1 42:1 46:5 54:9 60:18,23 69:3,4,10 70:1,9 72:15 73:9 73:23 78:21 79:8 80:17 82:17 85:1 85:16 86:2 87:7 87:22 88:8,19 90:7,18,22 91:7 95:12 96:11 97:4 101:9 102:1,8 104:12 105:20 106:2 108:1,20 109:9,22 110:6,14 111:6 113:21 118:20 119:10 120:18 123:4,17 124:4 125:1 127:17 128:11,22 129:5 130:8 131:16,20 137:19 138:19 140:16 141:13 143:8 144:6 145:19 146:17 148:15 149:7,20 155:1 162:19 163:13 164:4 165:7,14 173:4,17 178:22 184:3,21 185:6 186:5 187:1,10 | |
| 155:5,11 156:14 | forth 64:6,7 136:20 137:5 142:8 145:16 148:2 | forward 217:18 | |
| 156:20 168:11,12 | found 61:19,23 62:3 | four 3:13 14:24 38:19 39:8,12,14 41:18 48:4 49:1 51:2 62:5 71:24 | |
| 175:24 179:10 | fourth 9:5 187:18 | framed 85:21 | |
| 188:7,12 189:5 | frames 92:15 | frames 92:15 | |
| 207:11 217:10 | franco 1:19 225:23 | franco 1:19 225:23 | |
| five 10:18 45:22 48:15 51:2 61:13 62:6,23 63:13 113:1 151:17 170:3,7 219:23 | fraternity 152:12 | fraternity 152:12 | |
| flagrantly 104:16 | free 223:20 | free 223:20 | |
| flip 120:10 165:15 214:16 | frequency 117:16 | frequency 117:16 | |
| flipping 75:16 142:8 168:9 | frequently 112:24 | frequently 112:24 | |
| flitting 153:11 | friends 42:18 152:4 | friends 42:18 152:4 | |
| floor 138:17 | front 55:12 157:4 175:16 204:22,23 | front 55:12 157:4 175:16 204:22,23 | |
| focus 21:17 22:18 22:20 26:21 187:19 214:6 | 209:16 | 209:16 | |
| focused 20:8 177:5 177:7 | full 92:23 112:19 119:5 | full 92:23 112:19 119:5 | |
| focusing 106:19 135:18,20 | fully 161:13 174:22 | fully 161:13 174:22 | |
| folks 33:3 132:24 | function 172:8 | function 172:8 | |
| follow 66:11 146:18 193:3 | functioning 156:8 170:22 | functioning 156:8 170:22 | |
| following 57:15 81:4 137:8 142:2 168:17 209:9 | | | |
| follows 5:24 | | | |

| | | | |
|--|--|---|--|
| 193:1,8,18 194:6 194:12 195:7 196:1,18 201:8,23 203:2,17 205:15 207:23 218:3 219:22 220:3,13 221:2 223:5,17 gap 96:9 gather 53:15 gathering 40:17 gay 30:11 geared 158:1 gender 39:16 general 12:19 21:18 24:13 25:12 26:16 51:12,21 84:9 87:4 90:19 90:24 101:6 128:12 154:23 155:2,3,17 157:12 157:14 159:17 181:5 193:9 generalized 180:7 180:20 185:11 generally 10:11 12:13 74:23 75:2 87:23 90:11 110:18,23 158:18 getting 50:14 57:12 172:19 gig 112:19 girls 45:13 give 14:22 17:23 18:21 29:7 67:24 72:3 88:20,20 92:15 94:3 96:6 128:23 130:20 186:18 223:4 given 13:13,18 52:9 60:11 72:16 75:23 102:17 | 108:9,9,24 133:7 163:2 207:4 225:14 228:4 giving 42:11 74:24 75:2 93:16 107:16 122:7 194:20 gleaned 79:21 go 3:21 35:14 44:12 54:13 60:18 72:23 85:17 90:16 124:12 150:13 154:18 176:7 189:6 192:22 220:4 223:20 goes 7:4 151:18 170:10 180:8 going 14:3,19 15:12 31:10 32:21 33:21 36:6 67:8 67:22,23 82:12 83:14 85:5 104:23 107:9 110:6,7,16 112:18 137:4 138:8 142:8 149:8 155:12,13,16,24 156:15 161:11 172:11 187:24 188:18 191:8 192:21 204:18 213:1 215:11 217:18 219:22 good 6:5,7,8 73:2 79:11 110:8 119:16 172:19 225:4 grad 18:22 19:5 grade 44:18 45:7,7 graduate 9:20 12:17 18:6 great 6:24 172:23 183:5 | ground 7:12 86:4 group 9:24 15:14 37:3,19 39:7 40:24 46:23 55:5 55:19 75:12 133:8 groups 20:9 25:23 35:6 36:15,21 54:20,23,24 56:12 72:19 111:20 guess 20:1 23:1,4 51:12 62:20 72:16 83:1 87:19 91:3 105:19 112:8 131:24,24 132:14 goes 7:4 151:18 170:10 180:8 going 14:3,19 15:12 31:10 32:21 33:21 36:6 67:8 67:22,23 82:12 83:14 85:5 104:23 107:9 110:6,7,16 112:18 137:4 138:8 142:8 149:8 155:12,13,16,24 156:15 161:11 172:11 187:24 188:18 191:8 192:21 204:18 213:1 215:11 217:18 219:22 good 6:5,7,8 73:2 79:11 110:8 119:16 172:19 225:4 grad 18:22 19:5 grade 44:18 45:7,7 graduate 9:20 12:17 18:6 great 6:24 172:23 183:5 | 149:3,10 161:10 179:21 190:1,7,7 196:15 197:8 198:3,15,21,23 199:11 200:4 202:11 218:15 219:14 happening 35:7 124:16 126:20 141:6 171:19 harassing 43:10 harassment 33:1 35:20 43:6,18,24 74:9 hard 84:11 105:6 181:22 183:6,24 190:20 harder 58:22 harvey 43:2 hashtag 42:24 hat 9:7 73:11 head 8:4 15:15 37:23 203:8 heading 64:4 health 17:2 22:7 36:17 55:14 118:3 134:11 136:6 215:12,16,19,19 216:2,3 healthcare 118:9 129:18 133:14 healthy 3:20 54:11 hear 37:12 55:17 128:24 149:1,11 heard 7:16 16:1 18:10 50:17 59:24 60:7 86:18 99:8 214:24 hearing 30:20 31:1,8,10,12,14,18 31:20 32:22 33:18 |
|--|--|---|--|

[hearing - inconsistency]

Page 15

| | | | |
|--|---|--|---|
| 34:3 38:2 79:19 84:8,10 87:4 102:21 121:9 142:18 143:20 149:19 163:11 164:1,16 174:12 179:7 188:1 204:5 204:6,22,24 209:17 213:1 219:20 heavily 197:20 held 22:5 220:23 help 67:7,7,12 68:17 82:5,11,21 163:7 164:6 204:19 205:18 213:24 helped 27:4,8 41:1 89:18 90:5 helpful 19:12 68:13 79:11 122:14 123:9 163:11 helps 222:14 hi 121:8 high 50:5 53:1 80:11 higher 126:2 181:9 highly 188:10 hipaa 207:19 hired 26:4 history 18:2,22 118:3 119:5 159:4 217:6 hmm 34:10 195:4 hold 18:15 95:23 holding 53:1 home 1:16 honed 190:16 | honest 138:12 honestly 88:24 99:8 117:22 125:15 honor 31:11 hopefully 23:9 hoping 218:7 horizon 24:4 127:12 128:2 132:24 133:13 134:10 hosted 24:2,7,12 hotline 24:5 hour 11:13 110:8 116:12 119:4 175:11 hours 55:8,8 99:21 215:24 house 2:17 152:12 housing 55:23,24 hsmb 4:7 33:14 74:4 75:21 76:7 76:15 78:3,23 99:12,15 110:17 111:11 134:19 huh 8:5 hundred 167:21 hungry 172:19 hyperaware 153:2 hypervigilance 152:20 153:10 hypothetical 67:24 88:21 128:10 149:15 184:16 187:16 195:20 hypothetically 69:12,22 128:20 129:12 132:3 184:2 | i idea 31:22,23 34:20 37:11 56:15 67:4 99:8 115:7 116:23 119:17 121:19 162:20 208:19 209:3 identification 28:8 38:10 39:22 41:22 46:2 54:6 70:6 73:20 113:18 120:15 137:16 173:14 205:12 identified 30:2 204:14 220:18 221:8 identify 58:11 204:12,19 illustrate 121:12 122:17 124:7 162:13,16 illustrating 124:10 image 92:22 imagine 181:24 189:20 190:20 191:11 193:16 194:16 214:12 impact 59:19 101:10 103:15 105:23 110:22 184:10 impacted 126:3 187:14,17 impacts 109:12 impairment 170:21 171:12,24 imperative 226:13 implies 107:14 important 7:19 64:21 161:18 165:22 170:22 | impossible 194:15 195:21 impressions 165:6 improve 90:12,24 inability 165:22 166:6,19 176:16 176:22 178:5 198:6 201:16 incident 44:17 45:1 126:3 139:16 140:13 176:6 177:8 179:7 181:15 197:17 208:12 211:2 217:11 include 43:24 52:9 76:18 82:5 84:6 102:9 165:17,22 166:1,22 170:7 190:2 201:24 included 43:9 51:13 78:2 79:1 101:5 121:11 163:24 includes 39:15 64:15 126:18 168:21 including 36:15 43:1 73:5 75:13 84:4 111:10 144:13 199:7 202:12 inclusion 71:16 inclusive 132:1 incoming 35:3 incomplete 83:4 93:18 95:15 108:11 109:1 inconsistency 96:8 97:10 |
|--|---|--|---|

| | | | |
|--|---|--|---|
| inconsistent 83:5 93:19 94:12,15 95:11,17,24 101:12 109:1 110:5 incorrect 63:17 incredible 89:6 independent 11:22 144:18 indicate 5:13 180:14 indicated 225:6 indication 96:1 indicator 94:22 individual 20:9 30:1 39:16 105:17 149:17 individuals 148:18 189:11 influence 163:7,18 187:4 influenced 181:21 183:12 information 9:13 30:14 37:15 48:19 57:19,23 65:11 79:11 80:2 81:23 82:4 83:21 93:8 97:15 98:19 100:15 108:11 118:19 120:4 123:12 126:10 129:23 142:20 147:16 161:16 184:18,23 187:12 190:17 informed 37:15 59:6,18 60:13 81:14,22 183:9 189:14 | ingested 200:13 203:24 inhibitions 193:10 initial 119:21 120:2 217:13 initially 92:14 injurious 20:13 injury 68:12 142:1 197:24 inside 13:14 instance 94:20 instances 213:8 instinct 217:13 institution 18:13 instructions 226:1 intending 216:7 intensive 20:6,6 intent 93:21 interacting 47:10 interaction 157:13 interactions 179:19 intercourse 166:7 176:18 191:24 192:4 interest 73:7 interested 37:6 39:12,13,16 174:12 192:5 225:16 interpretation 146:6 interrogating 146:6 159:9 interrupt 19:8 131:13 interrupting 131:14 intervening 124:16 | intervention 12:23 19:3 29:13 34:8 34:18 interview 4:14,16 167:17 173:24 174:4,8,23 175:1,9 175:14 197:15 205:22 206:1 208:3 209:18 interviewed 135:16,19 145:10 146:11,21 174:14 175:18 205:1,3,6 209:13 210:1,8,9 221:13 interviewing 12:24 157:18 interviews 157:5 160:2 intoxicated 203:21 introduction 7:2 76:19 intrusive 150:16 investigate 65:14 investigated 212:23 213:2 investigating 92:5 investigation 121:11 142:11,13 144:18,22 146:11 163:24 164:3 188:1 191:13 200:10 investigations 210:17 investigator 66:3 144:20 149:18 159:10 investigator's 12:22 | investigators 91:23 92:2 142:20 143:1 144:5 176:21 178:4 205:2 206:2 210:1 210:9 invitation 133:9 invited 46:18 71:2 72:17 98:24 111:9 111:14,16,18 invites 46:19 inviting 100:23 involuntary 150:16 involved 9:14,16 9:18 26:1 27:14 27:19 31:6,17 32:2,7 41:3,8 68:11 69:16 133:3 133:7 208:11 216:22 221:9 involves 44:17 involving 10:5,7 10:23 221:9,14 222:2 issue 24:13 58:12 60:13 122:15 issues 14:12 23:15 23:16,20,24 24:17 24:19 32:23 36:17 37:8 55:14 166:8 it'll 68:17 ix 13:20 14:12 24:17 32:2,7 83:14 86:23 87:4 87:10 135:14 143:20 164:7 204:2 206:2 209:24 210:8,10 210:17 218:19 219:7 |
|--|---|--|---|

[jan - kozak's]

Page 17

| | | | |
|----------|---|--|---|
| j | kin 225:15 kind 20:14 26:17 27:2 31:10 32:17 37:14 56:17 58:19 77:18 93:17,23 102:14 150:12 157:2,9 161:24 166:7 168:10 171:16 194:2,19 195:14 199:3 212:17 kinds 45:12 kirk 56:22 kirkland 2:16 kiss 63:2 knew 118:19 131:2 132:16,17 148:20 174:16,17 174:18 184:4,22 184:23 185:4,21 191:23 192:2 206:20 212:1 knocked 140:24 know 6:10 8:12 9:21 10:1 13:13 15:1,13,19 20:24 21:1 25:1 26:6 27:19 28:17 29:7 34:1,1 35:8 36:14 37:17 40:4,15 42:17,19 43:4,5,8 43:10,22 44:5,6,10 48:10,21,22 49:4 50:2,4 52:11,18 55:16,17,23,24 56:1,4,12,13 58:2 58:6,16,19,24 59:1 59:10 62:12,14,18 66:4,6,11,23 67:23 68:11 70:19 72:13 77:13,13,14,19 | 78:17 81:10,18 82:9,19 84:21 85:3 86:18 87:2 88:23 89:5,15,17 89:19,22,24 91:5,9 92:3,22,24 93:22 94:7,8 95:7,14 96:4,7,17 97:13,15 97:16 98:12 100:14 101:2 102:23 103:1 104:24 105:7 106:14,14,17 107:15 111:3,3,4 111:12,13 112:9 112:22 115:5 118:24 120:19 121:14,22 123:1,3 123:5 124:17,23 125:15,17 126:1,4 126:12,13,14,16 126:18 128:7,16 129:10,18,21 130:13 131:6 132:2,21 133:2,6 136:23 137:3,3 139:2,14 140:14 140:21 144:13,22 145:5,24 148:13 148:17,17,21 150:7,9 151:23 153:15,17 154:14 155:6,14,15 157:2 157:4,5,7,9,9 158:9,13,14,23,24 159:13 160:10,24 161:6,9,10,11 162:17 163:23 164:8,12,22,24 165:2 168:5 171:14,15,20 | 174:17,18 175:2 175:20 178:17,21 179:5,9 180:23 181:2,4,6,6,15 182:2,12 183:11 184:5,5,6,20 185:1 185:4 186:18 187:12,13,16 194:22 195:24 196:4,16 198:15 200:16 201:11 202:14 203:10,24 204:17 205:19 211:10,13,23 212:17,18,19,24 213:19,22 214:18 214:20,23 218:17 219:4,9 222:9,10 222:11 223:8 knowing 105:12 178:10 183:16 221:13 knowledge 25:13 31:14 49:2 73:13 198:23 219:16 knowledgeable 56:1 known 25:3 77:1 78:10 140:9 kolk 59:8,16 kolk's 25:2 kozak 4:14,17 17:20 30:3,23 32:8 97:24 98:22 111:20 114:9 135:3,11 136:1 173:24 174:5 205:23 kozak's 100:8 |
| k | k 37:4 59:16,16 kauffman 16:23 35:12 46:20 61:20 kauffman's 70:13 keep 6:22 38:2 49:2 53:6 87:17 88:2 94:19 95:1 keeping 25:11 keeps 25:2 kids 21:5 | 42:17,19 43:4,5,8 43:10,22 44:5,6,10 48:10,21,22 49:4 50:2,4 52:11,18 55:16,17,23,24 56:1,4,12,13 58:2 58:6,16,19,24 59:1 59:10 62:12,14,18 66:4,6,11,23 67:23 68:11 70:19 72:13 77:13,13,14,19 | 150:7,9 151:23 153:15,17 154:14 155:6,14,15 157:2 157:4,5,7,9,9 158:9,13,14,23,24 159:13 160:10,24 161:6,9,10,11 162:17 163:23 164:8,12,22,24 165:2 168:5 171:14,15,20 |

| | | | |
|--|---|---|--|
| l | 222:16 | lexington 1:17 21:11,13 | litigation 7:4,10 68:12 221:16 |
| l 16:19 17:13,13 21:23 59:15,16,22 | lee 1:7 2:13,17,18 9:11,15,16 10:6,23 13:15,20 16:13 17:3,18 30:10 37:1 40:20,22 56:20 71:16 78:13 112:15 117:19 133:24 229:4 | lgbtq 30:15 | 222:9,24 223:1 |
| label 107:13 | | license 134:3 | little 49:11 51:23 |
| language 43:11 107:15 149:24 150:10 | | licensed 17:16 18:17 134:2 | 52:23 75:11,13,19 82:15 109:1 |
| large 99:21 192:15 | | licenses 18:15 | 151:19 153:24 |
| largely 67:15 109:20 | | lied 67:2,19 | 172:19 181:13 |
| latitude 109:1 | | lieu 5:8 | lives 43:11 56:2 |
| lauren 17:20 30:3 30:22 32:5,8 97:24 98:21 99:8 100:3,8 111:19 114:9 135:3,11 136:1 173:24 174:5 205:23 | | life 36:19 54:19 55:20 155:24 156:4 | llp 2:8 |
| lauren's 100:2 | | likelihood 127:3 | local 21:19 23:5 24:4 |
| law 35:4 53:16 92:4 | | likes 96:20 | location 62:14,15 |
| lawsuit 222:20 | | length 116:3 | long 11:11 13:11 |
| lawyer 68:13,16 122:3 | | lesbian 30:11 | 31:4 55:8 115:16 |
| lay 110:23 111:3 | | letter 4:11 113:12 114:5 115:4,6,9,12 117:3,4,8 121:10 121:12,20 123:9 124:6,9 125:3,12 125:24 126:8,11 126:23 127:20 134:16 135:3,7,11 135:15,17 137:5 139:19 145:8,16 147:18 148:4,9 160:11 161:24 162:2,12 163:23 166:3,5 168:20 169:2 170:23 182:7,12 183:23 185:19 207:6 218:2,23,24 219:7 | 116:24 117:13 131:1,2 175:8 |
| leaders 55:20 | | line 4:21 47:4 227:4 | longer 27:13,15 29:12 34:18 |
| leadership 23:2,13 54:20 | | lines 44:7 55:12 | 31:7:21 217:19 |
| leading 202:1 | | lisak 77:10 79:13 | look 11:17 40:3 |
| learned 137:23 138:15 212:22 | | lisak's 77:1 | 42:5 53:4 70:21 |
| learning 139:23 141:20 | | list 28:22 29:16 46:22 57:20 58:20 158:9 160:23 167:11 | 75:4 82:1 96:20 |
| leave 99:2 | | listed 33:15 35:12 36:5 47:4 57:1 70:13 71:21 98:11 146:1 167:8 169:4 | 97:20 98:6 103:7 |
| led 180:20 182:19 183:20 184:7 | | listening 66:9 126:14 155:4 161:14 | 117:2 120:20,21 |
| | | listserv 16:4,7 | 121:4 139:13 |
| | | literally 42:19 203:8 | 141:22 153:10 |
| | | literature 57:24 109:19 | 168:20 169:6 |
| | | | 170:4 189:2 |
| | | | looked 51:19 |
| | | | 99:22 110:2 |
| | | | 116:21 120:22 |
| | | | 137:11 173:22 |
| | | | looking 14:22 45:2 |
| | | | 51:7 52:3 98:4 |
| | | | 100:7 115:18 |
| | | | 138:11 143:13 |
| | | | 149:21 152:22 |
| | | | 156:22 160:10 |
| | | | 169:23 172:4 |
| | | | 178:17 188:23 |

[lookout - mentioned]

Page 19

| | | | |
|--------------------------|--------------------------|-------------------------|-------------------------|
| lookout 158:10 | 205:11 | 138:9 139:3 | meetings 114:13 |
| looks 52:13,16 | market 1:23 2:3 | 140:12 142:22 | 114:16 115:1 |
| lose 131:19 | massachusetts | 149:14 157:21 | 116:14,18 117:11 |
| lot 35:5 36:12 | 19:21 | 159:8,13 162:11 | 167:17 |
| 49:18 52:16 75:18 | masters 18:7 | 163:21 167:6 | meets 136:14 |
| 130:16 139:14 | match 144:15 | 168:2 171:12,13 | member 23:18,21 |
| 155:3,8 | material 13:24 | 171:17 174:16 | 26:7 40:22 47:7 |
| lots 36:17 93:1 | 57:24 74:14 75:7 | 175:19 176:17 | 56:23 134:18 |
| 150:9 | 75:9 76:11 81:14 | 181:1,22 183:6 | 149:19 |
| loud 96:22 | materials 16:3 | 184:15,17 190:14 | members 16:12,19 |
| low 43:10 | 53:17 61:2 63:21 | 191:20 193:7 | 21:2 26:10,16 |
| lowers 193:10 | 71:23 79:1,18 | 194:14,14 195:17 | 27:1 32:12 34:21 |
| luder 56:22 | 93:10 110:20 | 195:24 200:14 | 35:10 37:6 46:23 |
| lunch 172:21 | 175:13,17,21 | 201:19 204:5 | 55:15 57:3 74:9 |
| 173:2 | math 44:18 45:7,7 | 206:8 209:12 | 75:22,24 76:7 |
| lynchburg 1:1 | matter 10:16 | 210:13 218:20 | 78:23 79:19 80:9 |
| m | | | |
| machine 225:10 | 90:19,24 110:22 | 219:6,13 | 81:7 93:17,22 |
| main 1:17 174:24 | 112:4 128:13 | meaning 56:8 | 95:7,22 133:9 |
| majored 18:4 | 193:9 204:14,15 | means 34:22 35:7 | 147:19 148:8 |
| making 6:12 9:24 | 206:3 209:8 | 82:19 91:16 | 164:18 |
| 44:1 53:10 77:3 | 210:10 211:11,14 | 167:10 | memories 90:11 |
| 78:13 153:2 | 211:22 222:18 | meant 187:8 | 90:24 150:17 |
| 192:16 | matters 13:20 | 195:22 | 176:2,3,8,10 179:7 |
| male 79:14 210:23 | 204:2,12 | measure 12:18 | 200:12 202:20 |
| 212:8,11 213:9 | mcguire 2:8 | media 51:3 | 203:4 |
| man's 25:6 | mcguirewoods.c... | medical 12:22 | memory 89:14,19 |
| mandate 161:5 | 2:12,12 229:2 | 19:2 118:5,10 | 92:11,19 93:5 |
| mandated 67:6 | mean 22:23 26:14 | 119:5 199:18 | 166:8 200:15 |
| manifested 170:6 | 36:10 43:14,23 | 215:22 | 201:5,21,22 202:1 |
| manner 5:12 | 58:13 70:21 72:14 | medically 139:2 | 202:4,7,10,14,15 |
| manual 58:15 | 79:4 84:11,20,23 | medication 8:21 | 203:5 |
| manuals 12:5 | 88:4 91:3 93:11 | medications | men 39:10,13 |
| manville 20:18 | 94:7 95:18,21 | 200:15 | 77:14 80:11 211:5 |
| march 114:8 | 96:9,23 97:15 | meet 23:8 65:9 | mental 36:17 |
| 115:2 | 100:13 105:8 | 143:10 155:11 | 55:14 58:15 119:6 |
| marked 28:7 38:9 | 108:6 110:1 111:2 | 160:3 168:10 | 133:14 134:11 |
| 39:21 41:21 46:1 | 113:1,24 116:2,23 | 181:10 192:6 | 156:21 |
| 54:5 70:5 73:19 | 118:22 120:2 | meeting 11:12,21 | mention 114:7 |
| 113:17 120:14 | 121:21 128:7 | 11:24 112:24 | mentioned 27:10 |
| 137:15 173:13 | 129:9 132:14 | 115:2,5,17 125:24 | 41:13 46:21 59:20 |
| | 133:6 134:17 | 156:19 | 61:20 78:8 132:7 |

[mentions - █]

Page 20

| | | | |
|---|--|---|---|
| mentions 178:24 178:24 | missing 171:4 mistake 147:9 196:14 | 34:16 45:8,18 46:9,21 49:15 50:3 57:1 59:9,10 | neither 184:6 225:15 |
| mentor's 12:16 | mistaken 196:6,21 197:6 | 59:15,16,21 60:8 60:15 70:12,13 77:1,2 78:9 81:17 | never 89:8 188:4,9 188:19 190:14 192:3 |
| merged 48:3 | mm 34:10 195:4 | 98:3,14 | nevertheless 107:20 108:4 |
| met 11:9 114:7,10 117:23 121:9 126:4 143:14 146:4 165:17 167:8 170:11 207:20 208:5,7 211:4 217:5 | moment 13:16 42:17,22 44:16 112:22 120:20 205:16 223:4 | named 9:12,17 25:7 | new 52:20 53:11 156:13 207:7 |
| method 88:10 154:17 | money 24:3 | names 15:3,13 33:14 47:4 60:1 | night 3:15,16 40:8 40:11 41:4 42:3 72:2 195:10 |
| methodology 49:20 77:20 | month 89:3,12 90:3 | 60:10 81:20 | nine 168:17 169:2 169:3,10,12,18 170:12 |
| micah 2:9 220:8 | month's 74:19 | narrative 91:13 92:23 93:11 | nodding 8:4 |
| mid 1:23 | months 91:21 | 101:13 | nonconsensual 176:17,23 177:6 177:11 191:18,24 |
| midatlantic 229:15 | monumental 89:7 89:12 | national 40:11 | 192:2,18 194:24 202:16 |
| milwaukee 19:4 | mood 151:2 158:18 159:12 | nationally 87:5 | nonprofit 23:3,13 23:18 |
| mind 36:8 62:7,9 148:14,16 172:21 221:13 | morbid 158:20 | natural 104:1 | nonprofits 22:22 |
| mine 40:6 | morning 6:5,7 11:16 88:23 89:2 138:16 | nature 9:8 12:14 20:3,21,23 31:5 33:10 34:11 70:16 70:23 102:10 109:13 | nonverbal 144:14 |
| minimal 43:10 | motive 69:15 161:18 | near 152:12 | nope 18:14 150:23 209:5 |
| minor 53:10,11 | mouth 159:9 | necessarily 43:23 79:22 82:10 94:21 96:9,23 104:9 | ████████ 4:9,11 31:21 47:4 56:8,11 |
| minute 60:19 78:8 119:4 219:23 | move 189:17 | 130:6 151:13 185:16 203:6 | 113:12 114:6 |
| minutes 11:16 110:9 116:12 | moved 19:20 21:11 | necessary 141:7 226:4 | 120:1,24 121:3 |
| misconduct 3:12 29:15 31:12 32:19 33:2,21 35:20 37:7 38:18 52:12 62:19 74:9 83:14 84:15 112:6 204:19 | movement 42:24 | need 17:24 28:23 59:12 76:16 97:17 151:6 161:15,16 | 123:6 125:8 127:1 136:11,14 137:21 |
| misremembering 50:20 | mschwartz 2:12 multiple 29:19 58:4,7 61:23 215:8 216:17 | 168:16 169:18 181:9 | 145:9,21 148:5 |
| misreporting 66:15 | multitude 201:3 mutually 134:11 | needed 11:4 68:21 78:24 82:23 | 150:2 151:19 153:21 157:13 |
| | n | negative 101:17 151:2 | 160:6 161:21 162:11 166:23 |
| | n 3:1 59:16,22 | | 171:20 172:1 |
| | name 5:14 7:2,4,5 17:11 25:6 27:9 27:14 29:12 33:6 | | 174:17 176:2,5 177:9,24 179:3,14 |

[REDACTED] - okay]

Page 21

| | | | |
|---|--|--|---|
| 181:15 189:22 190:6 193:20 194:22 197:15,17 198:8,18 199:16 199:19,21 200:2 202:17 206:19,23 207:4,7,18 210:11 210:20 218:2 [REDACTED] 161:18 163:6,6 176:21 177:18 188:11 199:7 203:20 207:9 normal 116:2,3 197:21 normally 94:18 102:15 129:22 notary 1:20 225:3 225:24 228:18 note 64:19 83:1 96:12 106:8 107:2 108:3 180:11 201:12 229:10 noted 36:11 226:11 228:7 notes 77:12 80:6 80:10,18,22 81:18 81:24 82:3,5,7,13 96:19 103:13 114:14,16 115:19 116:17 117:10 118:9 125:19,22 138:11 151:7,15 152:22 154:7 175:15,20 178:17 180:22 181:3 185:23 220:1 notice 225:6 noticing 153:16 november 29:22 | number 3:8 4:3 13:14 14:22 15:19 19:22 25:22,23 28:19 33:3 48:8 48:14,15 50:4 61:11 71:19 140:3 149:23 152:16 169:3 170:3,7 227:24 numbers 57:7 | 196:11 200:20 201:18 202:21 217:23 objecting 38:3 objection 194:5 195:5 objections 5:11 observable 151:16 152:22,24 154:12 observation 153:23 observations 93:17 124:1 146:6 150:6 observe 64:12 150:14,15,21 151:1,11 152:15 152:20 153:1 154:10 observed 151:5,9 153:20 188:4 observing 130:1 obtain 57:18 obtaining 161:19 occasion 11:10 102:20 134:9 212:13 occasions 41:6 76:7 114:11 occupational 170:21 occur 194:21 198:10 occurred 44:23 124:5 130:7 138:15 139:10 140:9,14 152:13 174:22,24 176:18 177:17 191:14 194:18,18 202:18 204:14,16 209:9 | october 4:5 30:18 70:12 offer 27:11 35:6 35:10,14 36:12,14 36:18,20 37:16 40:13 68:8 181:16 199:23 213:4 offered 35:3 37:19 197:18 199:17 offering 20:5 30:10 37:8 199:3 199:6 office 26:16 27:2,7 113:2 191:9 213:14 214:6,6 216:8 official 162:18 225:18 oh 48:20 57:8 83:20 100:12 113:14 126:9 204:4 222:6 okay 6:20,22,24 8:1,15,20 9:1,7 10:5 11:7,7,11 12:1,3 13:13,17 15:9,16 16:16 17:1,4,15,23 18:15 18:21 19:15,17 21:9,16,22 22:1,11 22:11 23:7 24:14 25:10,18 26:10 27:7,22 28:5,24 29:7,21 30:7,19,21 31:1 32:24 33:9 33:10 34:5,7 36:4 38:1,5,7 39:4,18 39:19 40:7 41:11 42:13 43:12,21 45:17,21,23 46:8 48:2,12 49:7,16 |
|---|--|--|---|

[okay - paragraph]

Page 22

| | | | |
|-------------------|-----------------------|---|---|
| 51:24 53:6 54:3 | 160:5,14 163:5 | ones 14:9 36:4 72:3 86:13 97:7 157:22 167:15 | orientation 36:22 original 226:14 outcome 127:4 163:7,18 225:16 |
| 55:4 57:11 59:14 | 164:15 165:21 | ongoing 215:4 | outdated 77:5 |
| 60:17 61:8 63:7 | 166:1,4,11 167:12 | open 6:16 28:3 215:24 | outpatient 20:7 |
| 63:20,23 64:2,15 | 167:22 168:9,20 | opening 136:13 | outside 13:20 60:3 |
| 64:24 68:3,10 | 169:1,10,17 170:1 | operate 186:1 | outsider 66:5 |
| 69:7 70:3 71:1,22 | 170:2,17,19 171:3 | operating 184:8 | overall 171:8 |
| 74:13,20 76:10 | 171:11 173:9,11 | opine 201:9 | overlap 180:12 181:5 |
| 77:7 80:8 82:1 | 173:20 174:20 | opining 190:5 198:4 | overly 203:21 |
| 84:14 85:16 86:15 | 175:8,17 176:15 | opinion 119:24 124:2 136:14 | override 53:9 |
| 86:22 87:8,11 | 177:3,22 178:3,9 | 145:9,23 147:4,7 | p |
| 88:9 91:8 93:7,16 | 178:23 179:12 | 147:11,18 148:2,6 | p 18:8 37:4 |
| 98:7,10,10,12 | 180:3,18 181:13 | 149:2 167:23 | p.m. 173:2 224:1 |
| 100:12 102:2 | 182:9 184:4 | 168:8 178:12,18 | p.o. 2:10 |
| 104:13,17,21 | 185:20,24 186:3,9 | 187:5 188:9 | package 6:14 |
| 107:5 108:21 | 186:13,15,16 | 190:19 191:6 | pad 175:19 |
| 109:10 111:7,22 | 187:18 189:6 | 199:7 218:22 | page 3:3,8 4:3,21 29:1,22 30:17 |
| 112:5,21 113:3,11 | 190:23 191:7,20 | opinions 9:19 167:18 | 32:24 33:5,6,8 |
| 113:14,15,22 | 191:22 192:12 | opposed 162:21 | 34:6 35:18 41:11 |
| 114:5,13,22 115:3 | 193:12,19 195:2 | opposing 222:13 | 57:6,14,15 61:6,6 |
| 115:8,16,20 116:1 | 196:2,19 197:14 | oral 1:15 177:17 177:19 178:6 | 63:24 76:20 77:12 |
| 116:13 117:10,23 | 198:11,20 199:9 | 193:21 200:3,11 | 80:7 81:4 82:2 |
| 118:21 119:18,21 | 199:21 200:8 | order 31:9 33:23 125:12 126:11 | 91:8 98:6,8 103:7 |
| 120:5,10,12,21,21 | 201:12,15 202:6 | 143:11 | 106:6 121:7 |
| 120:23 121:6,18 | 202:16 203:3,18 | organization 15:17,24 23:3 | 165:19 170:5 |
| 122:9,20 123:8,18 | 205:7,9,20,21 | 41:4 48:3,4 50:13 | 227:4 |
| 127:10 129:6 | 206:8,10,18,22 | 133:4,21 | pages 228:2 |
| 132:6,20,23 133:3 | 207:10,24 208:10 | organizations 13:23 15:4 23:14 | paint 88:21 |
| 133:10 134:15,20 | 208:16 209:3,6,20 | 23:19,23 24:3,7,12 | painting 195:18 |
| 135:23 136:4,18 | 209:22 210:3,22 | 24:17 49:4 52:21 | panel 75:24 79:9 79:19 80:9 81:7 |
| 137:4,20 138:7,13 | 211:3,9,18,20 | 55:2 111:10 | 93:17,21 95:7,22 |
| 138:22 139:4,17 | 212:7 214:5 215:5 | | 122:21 201:2 |
| 140:8,17,23 | 215:16 217:14 | | paper 175:19 |
| 141:14,19 142:7 | 218:14,17 219:21 | | paragraph 41:12 42:5 83:2 126:24 |
| 142:15,21 143:3,9 | 220:6 221:12,21 | | 136:13 139:20 |
| 143:18 144:17 | 222:1,4,15,18 | | |
| 145:14 146:23 | 223:4 | | |
| 147:5,12 148:7 | old 9:7 53:12 | | |
| 149:21 150:12,20 | once 23:8 72:3 | | |
| 151:1,4,11,17 | 134:15 157:8 | | |
| 153:19 154:8,16 | 170:11 205:18 | | |
| 157:16 159:20,24 | | | |

| | | | |
|---|--|---|---|
| 141:23 142:7,9 145:7 149:23 151:17 152:16 154:8 168:11,21 168:23 169:3 170:14,19 paragraphs 149:22 paren 83:3 parkway 2:10 part 9:21 16:3,7 20:18 26:4 27:15 32:7 35:21 55:2 56:6 81:2 83:12 85:24 93:8 99:21 103:4 129:22 143:17 153:22,23 166:20 177:24 192:1 197:4 participate 47:1 194:8 participated 56:16 196:9 204:20 210:16 211:13,21 217:15 participating 5:3 6:9 13:4 204:21 participation 50:8 particular 21:16 22:18,20 26:20 28:1 45:18 52:4 57:4,21 59:5,10 78:1 79:24 80:5 81:17 84:9 92:20 99:11 105:13 131:1 132:4 151:21 157:16 168:3 189:20 213:16 particularities 94:8 105:18 | particularly 193:4 parties 5:10 9:14 56:5,8 177:17 partly 67:3,14 83:5 party 9:12,17 10:24 11:4 225:15 pass 63:22 pasted 75:18 patient 119:12 144:8,10 159:7 patricia 2:3 pattern 197:21 patterns 4:6 74:4 paying 158:17,18 158:19 peer 3:21 36:15,18 54:13,17,18,20 55:3,4,11,12,20 56:6,17 61:1 102:23 peers 37:11 42:18 penetration 138:14 139:10 pennsylvania 1:24 2:4 people 20:12 21:19 29:19 30:6 30:15 32:11 33:23 34:3 35:5 37:12 40:18 44:6,10 45:11 48:24 50:4 50:5 58:6 59:3 65:7 67:4,18 73:4 73:6 83:13 87:15 87:20 88:6 92:3 94:6,9 98:21 100:23 107:9,12 110:19 111:3,12 111:14,17 112:1 133:13 140:22 | 148:9,24 153:16 155:13 158:22 161:4,5 179:24 190:13 192:4 193:3,12 197:22 201:12 202:9 203:7 209:24 212:18 215:8 216:17,18 217:1 people's 12:18 50:6 90:11 110:23 193:10 percent 167:21 percentage 80:10 80:11 perform 26:17 performed 79:14 performing 177:19 period 36:23 135:21 207:21 periphery 153:17 permitted 206:24 perp 107:3 perp's 106:9 perpetrator 106:24 107:13,19 108:4 179:4,8,20 197:19 perpetrator's 77:16 perpetrators 76:20 77:9 79:15 79:20,24 80:2 person 5:8 32:20 52:10 64:17 65:2 66:6 68:21 84:17 86:21 96:24 97:12 97:18 102:17 103:1 105:3,13 110:23 111:4 | 128:5 131:2,3,4,7 132:18 134:1 155:4,11 157:24 189:21 207:1 213:3 216:19 personal 41:13 68:12 192:3,18 193:4,23 194:9 195:1,11 219:16 personally 150:14 150:15,20 151:1 perspective 95:8 96:6 pertaining 176:21 pertains 218:21 pervasive 217:6 peter 25:7 59:21 phamill 2:6 phd 226:1 227:1 philadelphia 1:24 2:4 phrase 83:2 107:3 129:19 physical 118:1 197:24 203:11 physically 5:4 pick 73:10 picture 88:22 94:11 97:2 126:17 piece 164:3 165:5 165:8 pieces 75:14 92:20 97:14 pinpoint 58:22 place 225:6 places 6:18 48:21 151:22,23,24 152:11 plaintiff 1:5 2:6 5:17 7:3 |
|---|--|---|---|

[plan - probably]

Page 24

| | | | |
|---------------------------|--------------------------|--------------------------|---------------------------|
| plan 131:3 | 118:23 121:14 | preparing 100:15 | 190:18 199:7 |
| planning 41:8 | 156:7 183:11,13 | prescribed 118:16 | 212:14 |
| 100:16 | 184:20 198:9 | 182:4 186:12 | presenters 46:10 |
| play 37:10 | 209:16,18 | presence 190:3 | presenting 76:12 |
| played 105:13 | possibly 12:21 | present 2:15 5:5 | 79:9,17 80:24 |
| please 5:13 19:19 | 16:10 17:21 50:10 | 11:9 20:13 27:24 | 83:21 93:9 98:19 |
| 41:18 45:22 | 67:17 81:21 91:5 | 32:19 55:11 71:2 | 118:6 156:13 |
| 114:19 121:13 | 106:10,13,17 | 71:8 72:18 76:4 | 195:19 198:18 |
| 226:3,8 | 108:3 128:20 | 76:14 77:8 82:4 | 217:9 |
| pled 211:22 212:5 | 132:15 139:8 | 84:3 98:24 99:8,9 | presently 125:22 |
| point 65:21 91:11 | 155:8 182:14 | 99:16,19 100:1,16 | presents 111:20 |
| 93:15 94:4 95:19 | 186:18,23 | 110:20 181:7 | preserved 114:20 |
| 95:20 97:17 | post 19:23 105:9 | 215:20,22,23 | presume 176:17 |
| 119:23,24 143:19 | 181:16 | presentation 4:7 | pretty 14:19 72:6 |
| 143:21 170:7 | potential 191:12 | 36:14,20 37:3 | 107:8 157:7,10 |
| 187:11 208:6 | potentially 86:13 | 40:2 47:2 52:4,8 | preventing 29:14 |
| pointed 182:11 | 97:8 107:18 215:8 | 57:4 70:21,23 | prevention 4:4 |
| points 174:24 | practice 21:12,17 | 74:4 75:1,3 78:3 | 27:11 29:14 70:11 |
| policy 32:8 62:13 | 68:6 73:12 82:3 | 96:15 97:19 98:3 | previous 75:9 |
| 148:2 | 91:22 92:8,9 | 98:15,17 100:24 | 182:15 183:16 |
| politics 18:5 | 112:13,18 113:4 | 102:21 103:4 | 186:2,11 |
| population 35:8 | 129:22 134:3 | 106:22 107:1,17 | previously 45:14 |
| 113:5 | 157:14 159:17,20 | 110:17 126:17 | 61:10 118:14 |
| portion 99:1,3,18 | practices 13:1 | 144:13 146:22 | 182:3 186:19 |
| 100:2 101:5 | 64:12 157:12 | 190:9,10 | primarily 20:10 |
| 192:15 | pre 181:16 | presentations | primary 29:14 |
| position 21:9 22:2 | predicate 192:22 | 13:14,19 26:6 | principal 12:21 |
| 22:5 23:2 101:12 | 195:6 | 27:20 36:12 53:7 | prior 22:16 180:24 |
| 105:14 123:2 | preexisting 118:4 | 55:17 62:2,5,22 | 181:19 187:3 |
| 133:13 177:18,21 | 185:15 | 71:6,24 72:2 | private 19:21 |
| 214:10 | prep 11:24 | 75:18,21 78:14 | 21:12,17 112:18 |
| positions 19:11 | preparation 42:9 | 81:19 96:5 99:5 | privy 147:15 |
| 22:16 | 74:21 81:14 | 99:23 107:11 | probably 14:20 |
| possibilities | 116:18 173:21 | 112:7 133:8 | 25:1 26:23 27:4,6 |
| 198:19 199:6 | prepare 11:8 | 148:10 | 36:24 37:3,21 |
| possibility 158:13 | 115:9,12 125:12 | presented 13:24 | 53:9,12 56:18 |
| 190:2 | 183:23 | 14:1 30:2 32:8 | 57:21 58:3 59:12 |
| possible 12:10 | prepared 4:11 | 33:3 46:15 61:2 | 60:1 67:13 73:5 |
| 32:23 37:16,24 | 113:12 117:2,4 | 66:1 70:17 74:7 | 74:16 75:17 |
| 69:23 84:23 103:9 | 124:8 136:10 | 74:15 94:13 98:18 | 100:12 148:20 |
| 105:16,19,23 | 161:20 | 122:15 158:6 | 171:15 217:12 |

[problem - questions]

Page 25

| | | | |
|--------------------------|--------------------------|---------------------------|---------------------------|
| problem 77:18 | prompting 122:2 | 208:3 | 113:18 120:15 |
| proceed 173:7 | 157:2 160:18 | psychiatrist 56:22 | 135:21 137:16 |
| 219:2 | prompts 156:21 | psychiatrists | 173:14 186:7 |
| proceeded 176:23 | proposing 198:9 | 133:14 | 205:12 |
| proceeding 7:13 | propounded 228:5 | psychological | pursuant 5:22 |
| 56:5 69:17 84:15 | protected 207:19 | 119:23 120:6 | 136:20 225:5 |
| 104:24 122:4 | protocol 20:10,15 | 124:11 | purview 122:18 |
| 147:21 163:8,19 | provide 7:9 10:15 | psychologist 18:18 | put 13:15 15:4 |
| 164:7 203:15 | 15:19 25:17 26:6 | 22:7 | 63:2 78:7 104:23 |
| 218:19 219:8 | 27:2,6 38:23 | psychologists | 159:8 167:15 |
| proceedings 86:24 | 52:21 53:8,15 | 133:14 | 168:4 |
| 209:24 | 65:11 83:13 93:9 | psychology 18:9 | putting 100:4 |
| process 31:10,12 | 98:17 99:1 102:13 | psychopathology | q |
| 31:13,13 32:2,7,9 | 122:19 123:12 | 12:20 | quantity 180:13 |
| 79:6 95:5 162:15 | 133:12 134:7,23 | psychotherapy | queer 30:12 |
| 188:1,18 189:4 | 148:3 151:18 | 20:6 | question 7:13,22 |
| processes 12:19 | 162:5,17,20,24 | psychotic 190:3,6 | 7:24 8:12,16 13:7 |
| 108:13 | 206:1 218:1 219:6 | 194:19 | 62:10,19,20 66:10 |
| professional 9:19 | provided 3:10 | psyd 1:15 3:3 4:8 | 69:2 83:8,17 |
| 119:7 132:8 145:8 | 25:22 28:14,18 | 5:21 18:7 74:5 | 85:13,21 86:1,8 |
| 147:7,11,23,24 | 29:4,19 30:23 | 228:1 229:5 | 89:10,13 94:19 |
| 162:16 167:24 | 35:24 36:8 37:3 | ptsd 105:10 | 96:13 98:14 |
| 217:4 | 39:6 51:17 52:6,7 | 157:21 158:14,14 | 166:10 175:3,24 |
| program 20:7,8 | 53:18,24 55:14 | 160:2 | 178:23 180:3 |
| 21:6 29:11,14 | 97:23 101:1 | public 1:20 13:19 | 186:8 187:19 |
| 32:5 34:17,18,19 | 102:12 119:24 | 43:3 225:4,24 | 188:12,13 189:5 |
| 35:2,6,11,13,24 | 134:22 169:15 | 228:18 | 197:4,14 204:10 |
| 36:16 39:9,10,11 | 175:7,13 204:13 | publicly 43:19 | 208:1,2 211:12 |
| 39:13 55:5 57:1 | 207:12 208:17 | published 12:8 | questioning |
| programming | 209:8 213:9 | 58:17 | 222:17 |
| 27:11 61:23 70:24 | provider 95:9 | publishing 137:12 | questions 8:7 12:2 |
| programs 15:4 | 118:9,10 129:18 | pull 169:23 | 32:9 95:3 103:2 |
| 27:14 35:7,15 | 129:24 145:5 | purporting 148:1 | 104:15 135:22 |
| project 24:4 | providers 133:15 | purpose 131:5 | 148:3 154:2 155:8 |
| 127:12 128:1 | provides 136:13 | 163:17 164:20 | 155:10,16,18 |
| 132:24 133:13 | providing 9:13 | 208:24 218:24 | 156:15 157:3 |
| 134:10 137:3 | 21:7 26:2 30:13 | purposely 53:13 | 158:1 159:1 |
| projects 13:10 | 62:22 86:4 123:22 | purposes 28:8 | 161:15 175:4 |
| promotion 17:3 | 124:11 134:11 | 38:10 39:22 41:22 | 177:4 185:14 |
| prompt 211:19 | 147:18 148:5 | 46:2 54:6 70:6 | 204:18 220:4,15 |
| | 163:16 164:18 | 73:20 104:14 | 220:16 221:5 |

[questions - recollection]

Page 26

| | | | |
|--|--|--|--|
| 222:5 223:6,7,11 228:5 quick 75:4 quickly 75:15 103:7 quote 49:14 200:24 quoted 48:16 quoting 150:10 | 75:16 91:12 103:9 103:21 104:1 read 24:24 25:4,4 25:8 49:9,12 59:23 82:8 84:5 92:16 96:18,18 103:10 144:21 176:13 179:10 205:20 206:8,9 215:11 223:13,13 223:16 226:3 228:2 229:9 | reasonable 119:7 167:24 reasons 129:10 rebecca 60:5 recall 10:14 13:4,6 15:10 16:17,22 17:5 19:10 24:8 24:24 26:3 27:16 27:18 32:15 39:1 42:11,23 44:15,19 45:6,14 47:9,10,13 reads 145:8 reality 190:3 realize 85:17 really 25:3 26:8 30:12 33:23 41:7 77:3 79:4 82:7,10 89:23 96:19 97:18 105:12 106:19,19 117:15 126:16 128:20 129:12 135:1 138:10 139:14 153:15 159:11,14 160:24 161:13 164:11,13 165:4 178:7,17,19 183:15 185:22 196:15 198:7,15 198:18 204:4 | 208:2 213:16 226:5 227:6,8,10 227:12,14,16,18 227:20,22 229:11 recalled 45:1,15 121:22 recalling 24:11 37:22 211:10 recast 150:3 receipt 226:15 229:18 receive 16:2 55:8 97:16 received 6:14 18:6 102:11 120:24 125:14 receiving 37:14 148:18 recess 60:21 110:12 173:2 220:11 recognize 47:22 94:11 173:18 recognized 112:1 recognizing 55:9 79:2 recollection 31:7 33:13 46:17 70:22 78:6 100:22 125:10 133:20 134:20 136:9 138:21 174:20 212:21 |
| r r 2:9 17:13 59:16 225:1 227:2,2 229:1 ra 56:6 raise 122:4 rallie 17:10,13 27:9 30:2 214:22 215:3 216:23 217:13 rally 40:12 range 189:22 198:13 rape 43:7,17 61:14 61:15 62:8,8,12 63:2,5,8,9,13,14 63:18 104:6,23 179:1 195:13 200:18,24 raped 179:5,8 rapes 80:12 rapport 157:8 rare 66:24 ras 36:19 rate 48:16 50:8 reach 35:8 reached 115:8 167:5 184:19 reaching 137:9 213:23 reactions 52:10 57:15,20 59:1 | 215:11 223:13,13 223:16 226:3 228:2 229:9 readily 157:7 reading 24:21,21 24:21 51:4 81:2 reads 145:8 reality 190:3 realize 85:17 really 25:3 26:8 30:12 33:23 41:7 77:3 79:4 82:7,10 89:23 96:19 97:18 105:12 106:19,19 117:15 126:16 128:20 129:12 135:1 138:10 139:14 153:15 159:11,14 160:24 161:13 164:11,13 165:4 178:7,17,19 183:15 185:22 196:15 198:7,15 198:18 204:4 | realize 85:17 really 25:3 26:8 30:12 33:23 41:7 77:3 79:4 82:7,10 89:23 96:19 97:18 105:12 106:19,19 117:15 126:16 128:20 129:12 135:1 138:10 139:14 153:15 159:11,14 160:24 161:13 164:11,13 165:4 178:7,17,19 183:15 185:22 196:15 198:7,15 198:18 204:4 | 200:7 204:4,21,23 |

[recommendation - reported]

Page 27

| | | | |
|---|--|--|--|
| recommendation | 111:22 112:6 121:23 127:7,19 | 179:1 189:3,5 190:13 208:12 212:23 | 197:7,16,24 198:6 199:4 200:4,11 201:16 202:22 |
| recommended | 127:21,24 130:23 | relation 158:16 | 203:7,9,23 204:8 |
| 164:2 | 132:3 139:8 140:3 | relationship 47:17 | 205:3,4,5 210:14 |
| record 5:15 60:19 220:5,8,24 225:13 | 140:6 141:20 142:16,17 143:5 | 192:5 207:17,22 | 211:7,7,16 212:21 |
| recorded 1:19 179:3 194:3 225:10 | 145:12 146:11 188:13 189:12 | relationships 3:19 3:20 54:11,12 132:23 | 221:7 222:14 |
| recruit 35:10 | refers 31:21 82:20 | relaying 162:22 | remembered 45:20 89:20 |
| recurrent 150:16 150:21 | 91:19 141:23 | relevant 14:11 36:8 45:10,16 | 192:11 202:13 |
| reduce 127:3 | reflect 52:19 | rely 62:22 | remembering 130:24 |
| refer 28:20 54:18 82:24 106:23 137:4 151:6 209:24 214:2 215:3 | 138:11 160:19 175:5 176:5 179:2 191:14 | remaining 143:14 | remembers 176:6 |
| reference 31:19 42:15 43:21 48:7 48:8 77:6,21 78:14 95:17 189:10 199:15 203:18 | reflection 44:16 101:15 189:19 | remarked 197:22 | remind 54:21 |
| referenced 38:14 48:20 182:7 229:6 | refreshing 125:10 | remember 9:11 10:17 13:12 14:20 | remotely 1:16 2:1 5:7,9,22 |
| references 49:8 61:9 62:4 64:20 166:19 | refuse 214:19 | 15:3,12 17:21 | removed 107:10 |
| referencing 86:5 | regard 14:8 62:6 73:6 102:10 111:12,24 134:14 | 19:13 21:1 25:6,9 36:13 39:14 44:24 | render 190:1 |
| referred 3:21 10:22 40:24 45:17 54:13 74:12 91:24 114:9 208:20 213:12,17 214:21 216:3 | 153:21 154:1 189:10 191:1 219:1 | 45:6,8,8 48:1 60:1 71:11 80:22 81:21 82:11,21 84:1 85:19,20 87:24 | repeat 107:24 |
| referring 6:23 24:9,16 41:14 42:21 43:7 49:8 55:19 56:7 86:21 92:14 95:14 | regarded 164:13 129:24 | 88:12 89:1,1,4,11 89:18,23 90:2,3,5 90:12 91:23 92:19 100:1 101:3 110:3 118:18,22 121:24 124:15,18 133:17 | repeated 107:3,7 |
| | regarding 103:5 | 133:23 135:2 138:2,9 152:14 | rephrase 8:13 166:14 |
| | 129:24 | 165:22 166:6,20 | report 65:19 108:12 118:7 |
| | regards 159:17 | 167:3,19 168:2,6,8 | 121:11 126:19 |
| | region 1:23 | 174:15 175:15 | 142:11,13 143:2 |
| | reiterate 123:20 | 176:5,16 177:5,24 | 144:22 145:18 |
| | relate 53:17 | 178:5,13,19,20 | 146:3,12 148:19 |
| | 176:10 | 185:3,4 191:19 | 150:6,10,19,24 |
| | related 10:16 | 192:15 193:21,24 | 152:18 153:23 |
| | 12:16,17,21 13:20 | 194:10,22 195:3 | 154:5 164:1,3 |
| | 14:24 24:19 25:3 | 195:12 196:8 | 165:4 172:15 |
| | 26:24 27:20 30:10 | | 188:6 190:11 |
| | 55:17 57:24 | | 191:13 203:21 |
| | 158:15 166:8 | | reported 125:23 |
| | | | 142:11,16 144:4 |
| | | | 146:7 157:19 |
| | | | 158:10 159:21 |
| | | | 160:7,9 177:10 |
| | | | 179:14 193:20 |
| | | | 200:2,3 211:6 |

[reporter - █]

Page 28

| | | | |
|--|--|---|---|
| reporter 1:19 5:2 7:14 8:3,6 17:14 59:12 | 110:3 researchers 12:11 60:11 | responsible 80:11 93:6 rest 110:9 188:23 | 173:6 177:13 180:10 181:18 182:18 184:7,23 |
| reporting 5:6,12 65:3 154:19 159:18 160:11 200:1 | 54:19 55:20 resident 36:18,19 55:21 | result 115:11 139:16 194:2 195:14 197:10 | 187:18 190:17 191:9 193:14 198:21 199:1,24 |
| represent 7:3 31:21 120:23 177:14,16 | 55:24 residential 55:24 residents 55:23 resonate 89:23 | resulted 221:15 retread 86:3 retroactive 201:5 | 201:13,17 202:20 203:9 206:6,17 219:18 221:3,11 |
| representation 177:23 | 31:16 resources 3:12 38:19 52:18,22 213:4 | retrospectively 183:8 return 226:13 229:13,17 | 222:23 223:13,14 223:16,17 rings 192:10 rises 43:23 |
| representative 2:16 | 3:21 54:12 64:11 102:23 215:9 | review 11:18,22 62:21 109:18 116:17 118:3 | road 91:21 roddocker 4:14,16 |
| represented 165:5 209:7 | responded 28:16 respondent 84:21 85:8 97:12 103:10 | 173:20 183:20 205:16,19 229:7 reviewed 42:8 71:23 74:20 138:8 | 29:4 30:4 136:2 174:1,6 205:22 roe 31:20,21 role 23:13 32:14 |
| representing 2:6 2:13 53:16 | 103:22 106:20,23 211:23 212:5 223:1 | 147:13 148:11 205:24 reviewing 25:20 162:3 215:17 | 32:16 33:17 64:13 65:4,6,14 147:22 147:23 208:7 217:21 |
| represents 42:2 109:14 | respondent's 97:17 103:15 108:15 144:23 | right 11:6 15:6 32:6 44:3 57:7,12 61:6 67:20 73:14 | roles 22:3 37:9 54:20 61:22 |
| repressed 203:5 | respondents | 76:13 80:20 86:15 94:12,17 97:22 | room 5:5 99:1,2 153:13 |
| request 3:9 4:20 115:11 121:1 122:7 123:23 124:6,7 125:14 163:6 204:11 217:2 218:6,8 | 102:10 108:23 109:2 | 99:13,14 102:22 105:9 108:9 | rotate 212:19 roughly 21:14 22:12 52:14 |
| requested 148:3 162:9 217:22 | responding 55:10 222:21 | 110:15 112:19 114:5 115:22 | rule 66:12 192:3 193:24 194:9 |
| requesting 114:21 122:16 186:1 | response 3:9,12 7:24 38:19 121:1 | 127:16 133:1 | 195:1,11,13 |
| requests 28:16 | 123:23 153:14,15 179:2 198:8 | 135:10 143:10,16 | ruled 167:10,14 |
| require 170:11 | responses 4:7 7:22 8:8 25:21 36:6 | 152:6 154:14 155:19 156:23 | rules 7:12 192:19 193:4 |
| required 143:10 169:18 | 74:4 | 157:22 158:20 | running 201:2 ████████ 7:5 138:20 |
| requirement 170:24 | responsibility 32:4 147:20 | 161:24 163:15 164:17 166:18,24 | 140:9 146:13 147:20 192:6 |
| requires 169:12 | 211:24 | 168:13 170:18 | 193:22 |
| research 12:17,22 12:24 13:5 19:4 59:5 73:13 81:12 | | | |

| s | scale 12:18 43:5 scared 103:11 scenario 122:1 182:1 183:14 189:21 191:11,12 192:12 193:19 194:17,21 195:19 196:2 school 9:21 10:24 12:17 18:6,23 19:5 20:19 21:3 155:14 schwartz 2:9 203:14 223:10,15 scientific 12:8 25:13 scope 101:1 152:7 score 25:2 se 101:3 seal 1:12 225:18 sealed 6:18 second 45:3 85:24 115:6,10 125:12 125:16,24 126:6 126:23,24 169:7 178:23 222:5 secondary 12:10 secondly 187:23 188:16 secret 6:19 section 77:12 165:16 see 8:3 21:19 28:12,21 29:5 30:22,24 31:19 33:6,9 34:23 36:7 38:20 41:11 42:7 45:5 47:3,5 54:14 55:18 57:1,8,16 69:14 70:14 75:15 80:6 83:7,10 | 86:15 103:8 105:22 112:2 113:8,14,23 114:1 114:1,3,23 115:10 116:4 117:18 120:5 121:6,16,21 124:17 125:4,11 126:24 127:5 128:13 129:15 136:16 152:4 153:14 160:3 165:3,18,20 169:24 170:8 171:15 181:17 188:24 211:18 214:24 216:20 217:1 218:23 219:23 seeing 75:20 82:13 112:23 117:7,14 125:9 127:11 130:1 151:14 161:21 185:23 214:1 216:21 217:2 seeking 66:15 131:7 seen 47:18 48:20 49:7 50:11 62:4 63:21 75:17 115:12,13 121:13 125:13,16,19 131:3 162:13 183:9 selected 37:5 55:6 self 20:13 37:5 82:22 118:7 172:15 190:11 seltzer 197:18 199:17 200:6,10 | semester 112:23 seminars 13:23 14:9,11 24:15 send 134:16 sense 31:18 87:12 87:14 88:7 93:23 94:3,6,9 110:18 126:2 130:19 158:3 183:3 senses 92:21 sensitive 32:23 sent 134:21 229:14 sentence 29:8 114:7 127:1 188:7 sentences 189:18 separate 131:8 170:6 216:5 separated 188:24 september 4:7 34:6 35:19 74:5,8 74:14 76:1 sequential 93:1 serious 105:1 142:1 serve 31:15 55:23 209:1 served 20:24 service 24:5 services 15:7 21:7 68:8 92:2 134:11 session 7:14 114:4 116:3 126:12,21 126:23 212:15 213:2 sessions 117:24 119:4,12,14 160:13 178:1 set 40:14 136:20 145:15 148:2 157:21 174:4 |
|---|---|--|---|
| says 30:10 35:16 45:5 64:16 81:1 106:8 120:6 121:7 127:1 151:18,19 163:12,23 165:16 165:24 170:19 176:1,1,5 180:4 185:8,8 187:20 188:19 197:15 | | | |

[seton - sort]

Page 30

| | | | |
|---------------------------|---------------------------|----------------------------|--------------------------|
| seton 18:5 | sexually 64:8 | 39:10 52:13,17 | slow 197:5 |
| sets 64:6,7 | 141:16 143:22 | 102:10,14 132:8 | small 19:21 80:10 |
| setting 11:20 | 157:19 158:11 | 132:10 219:5 | 113:5 |
| 24:20 63:7 87:10 | share 82:9 | simply 121:12 | smell 92:22 |
| 149:18 152:24 | shared 62:1 | 124:7 197:7 | smelled 90:1 |
| seven 169:11 | 100:12,14,16 | simultaneously | snowden 17:10,14 |
| seventh 45:7 | 139:5 180:23 | 128:15 | 27:9 30:2 214:22 |
| sex 13:1 177:17,19 | 184:12 | single 39:3 57:22 | 216:23 |
| 178:6 193:21,22 | sharing 66:24 | 64:20 167:11 | soccer 23:5 |
| 194:8,23 200:3,11 | 82:12 | sitting 8:20,23 | social 17:16 |
| 201:16 | shc 208:8 214:6 | situation 9:23 10:3 | 170:21 |
| sexual 3:11,19,20 | 215:5,12 | 32:21 34:4 58:2 | socially 172:10 |
| 4:4,6 10:7,16 14:5 | shearer 2:17 | 68:20 84:22 86:9 | solicit 118:8 |
| 14:12 15:1 22:19 | 223:12 | 92:12 128:21,23 | solutions 1:22 |
| 23:10 24:20 26:21 | sheet 3:18 46:7 | 129:14 132:4,16 | 229:23 |
| 28:1 29:15 31:12 | 156:16 226:6,9,11 | 134:13 138:12,22 | somebody 155:9 |
| 32:18 33:2,21 | 226:14 228:7 | 179:23 197:13 | 155:17 219:20 |
| 35:20 37:7 38:18 | 229:11 | 198:24 210:15 | someone's 17:11 |
| 40:18 41:14 43:7 | shelter 24:5 | 211:7,17 212:1,6 | 38:2 86:7 87:16 |
| 43:17 48:9 52:11 | short 60:21 110:12 | 214:17 215:2 | 93:24 102:3,16 |
| 54:10,12 57:15 | 220:11 | situations 143:24 | 126:17 217:9 |
| 59:19 60:14 61:12 | shorthand 225:10 | six 54:2 71:20 | soon 121:14 |
| 62:6,8,16,24 63:10 | show 36:6 175:22 | 152:16 | sooner 88:18 |
| 63:19 65:8 70:11 | 212:17 | skepticism 49:23 | sorry 14:2 16:5,6 |
| 71:17 74:3,9 83:3 | showed 11:23 98:2 | 68:20 69:8 | 18:10 19:8,9 |
| 83:14 84:15 85:4 | 99:22 | skills 34:22 | 20:22 33:5,7,8 |
| 86:11 112:6 | shown 171:20 | skipped 120:11 | 38:1,3 43:14 |
| 138:14 139:10,24 | side 149:11 214:1 | sleep 92:10 152:16 | 44:13 60:2 83:16 |
| 140:2,6 142:1 | 214:4,16 222:8 | 154:1,5 156:22 | 85:16 93:7 98:13 |
| 145:12 146:13 | sides 149:1 | 159:12 172:9 | 101:20 112:5 |
| 155:12 159:21 | sidney 71:4 73:5 | 197:21 | 113:22 135:9,20 |
| 166:7 167:4 | sign 3:17 46:7 | sleeping 154:4 | 141:12,12 142:8 |
| 176:18,22 178:11 | 226:8 229:12 | 172:6 | 146:18 164:24 |
| 178:14 179:17 | signature 225:22 | slide 64:3,16 74:18 | 197:2 200:22 |
| 190:13 191:16 | 228:9 | 76:19 79:18 81:15 | 206:12 213:7 |
| 192:4 200:19 | signed 229:20 | 81:24 82:5,6,14,14 | 215:15 |
| 202:16 203:22 | significant 170:20 | 100:4,7,8 103:8,9 | sort 7:1,12 9:23 |
| 204:19 211:6 | 171:13,24 | 103:14,20 110:16 | 12:2,20 17:24 |
| 213:20 214:16 | signing 226:10 | slides 82:22 | 24:13 25:3,12 |
| 216:15 220:20 | similar 26:11,13 | slightly 51:14 | 28:12 29:8 31:15 |
| 221:9 222:2 | 33:17 34:13 37:20 | | 32:2,3 33:19,23 |

[sort - straight]

Page 31

| | | | |
|---------------------------|---------------------------|----------------------------|---------------------------|
| 37:9,17 39:15 | south 1:17 | specify 189:2 | stated 62:1 96:15 |
| 40:12,17 41:8 | space 15:20 29:23 | speech 3:14,16 | 199:13 |
| 42:24 43:1,19 | 30:8,9 72:6 226:6 | 40:6 41:12 42:3 | statement 87:21 |
| 45:13 48:10,16 | speak 3:13,17 | 42:11,13 44:12,13 | 106:12 168:4 |
| 50:5 52:24 53:10 | 34:23 37:4,4,7 | 44:14,21 | 200:9 |
| 55:11 57:22 58:4 | 38:19 39:7,10,11 | speeches 13:19 | statements 8:4 |
| 58:24 59:2 65:18 | 39:15 40:23 44:8 | 72:1 | 83:4 84:5,13,14 |
| 66:4,11 68:15 | 46:6,12,24 47:11 | spell 59:11 | 93:19 95:13,17 |
| 70:20 77:17,17 | 48:3 51:11,16 | spending 82:15 | states 1:1 |
| 78:10 81:10 85:3 | 61:21 72:17 111:9 | spent 82:20 | stating 5:14 |
| 85:21 87:9,12 | 111:18 112:11 | sphere 25:13 | statistic 48:23 |
| 88:5 89:19 90:4,9 | 129:17 132:11,12 | spoke 11:15 148:4 | 49:10,13 50:13 |
| 92:13 94:10 | 133:4,8,9 199:18 | spoken 136:11 | 61:17,19 63:12 |
| 100:24 105:11,12 | 212:5 | sponsor 41:1 | statistical 58:15 |
| 108:16,21 109:19 | speaker 41:2,5 | sponsored 15:14 | statistics 49:21 |
| 116:1 123:20 | speakers 59:24 | spot 212:19 | 51:2 52:6 61:10 |
| 124:2,9 126:21 | speaking 75:12 | spring 40:15 | 62:21 |
| 128:12 130:15 | 132:2 184:2 197:5 | square 2:3 | status 156:22 |
| 132:2 150:3 | speaks 145:18 | staff 54:19 55:21 | stay 24:18 99:7 |
| 155:18,22 156:12 | special 73:7 | 56:6 135:14 | steadfastly 193:23 |
| 156:16 157:11,17 | specialty 21:17,21 | stance 65:12 | steer 217:12 |
| 158:1,8,16 160:17 | specific 20:14 | stand 37:5 63:12 | steered 216:16,19 |
| 161:12 162:18 | 27:20 49:15 50:2 | 84:12 | steering 46:24 |
| 168:7 171:5,7,17 | 58:10,22 60:1,15 | standard 53:1 | 47:7 |
| 171:21 181:9,10 | 62:13,15 63:5 | 91:22 92:6 130:6 | stenographically |
| 184:8 190:6,15,16 | 75:12 130:20,24 | 157:10 | 1:18 |
| 190:20 192:15 | 132:22 155:22 | standing 225:4 | step 34:23 87:9 |
| 200:1 214:16 | 157:21 181:10 | stands 40:8 50:18 | stewardship 25:5 |
| 219:2 | 189:15 209:19 | start 6:8 7:24 23:1 | stood 36:7 |
| sorts 55:13 155:15 | 212:4 | 25:19 26:15 138:4 | stop 131:9 |
| 156:5 | specifically 24:11 | 143:13 155:2 | stories 87:17 |
| sought 68:14 | 29:11 32:15 48:22 | 186:6 | 94:20 109:2,3 |
| sound 42:16 50:15 | 49:5 51:10,13 | started 16:6 60:3 | story 41:13 42:14 |
| 153:12 | 75:8 79:5 93:13 | 71:20 | 43:22 44:13 65:10 |
| sounds 153:16 | 112:8 125:8 153:8 | starting 18:2 | 65:21 66:10,23 |
| 206:17 | 159:18 171:9 | 143:19 149:23 | 92:23 93:20 95:1 |
| source 48:18 | 177:19 208:24 | 157:6 | 102:16 106:9,15 |
| 57:19,21,22 58:22 | 213:24 214:21 | startle 153:14 | 107:20 108:15 |
| sources 50:12 58:4 | 219:14,19,20 | starts 83:2 | 144:23 |
| 58:9,10 61:24 | specificity 180:13 | state 16:18 25:12 | straight 87:17 |
| 62:3 | 189:22 190:19 | 61:13 115:1 226:5 | 88:2 94:20 95:2 |

[strangely - symptoms]

Page 32

| | | | |
|---------------------------|--------------------------|-------------------------|-------------------------|
| strangely 89:5 | 214:7,14 215:20 | 52:16,21 54:11 | surgery 140:20 |
| strategies 127:3 | 217:5 220:21 | 55:13,24 67:8,21 | surrounding |
| street 1:17,23 2:3 | 221:10 | 69:16 87:5 103:1 | 176:11 |
| stress 55:10 | studies 49:9,9,12 | 134:7 141:8 161:7 | surroundings |
| 105:10,11 136:15 | study 49:15 76:20 | 164:11 165:9 | 153:2 |
| 141:8 143:11 | 77:9 79:13,14,21 | 172:12 213:4,24 | survey 50:16,18 |
| 157:22 158:14 | stuff 6:19 | 214:4 219:7 | 50:23 77:13 |
| 160:2 166:15 | subject 110:22 | supported 142:5 | survivors 200:19 |
| 180:7 181:8 | 112:3 226:10 | supportive 30:16 | suspect 29:17 |
| 185:11 187:20,24 | subjective 171:16 | supports 169:14 | 33:16 |
| 188:17 189:3 | submit 123:9 | suppose 22:23 | suspicion 109:3 |
| stretch 201:7 | submitted 114:6 | 69:12 95:7 112:8 | 122:5,11 |
| strong 190:2 | 134:24 | 183:13 208:14 | switch 182:23 |
| student 9:15,18 | subscribed 228:11 | sure 6:13 8:13 | switched 34:16 |
| 10:12,23 22:7 | substance 158:23 | 14:18,22 15:22 | sworn 5:22 225:7 |
| 31:20,22 36:21 | 228:6 | 22:15 26:3 29:16 | 228:11 |
| 37:13 40:24 54:24 | suddenly 197:20 | 36:12 39:2 40:16 | symptom 155:22 |
| 68:7,10 85:4 | suffered 187:5 | 45:4 50:10,18 | 160:1 |
| 86:10,11 117:21 | sufficient 119:6 | 60:9 61:8 66:16 | symptomatic |
| 128:13 129:3 | suggested 121:10 | 67:1 69:3,22 75:6 | 58:19 |
| 130:10 134:10 | suggesting 101:16 | 76:18 86:3 90:8 | symptoms 118:6 |
| 136:5 150:9 172:7 | 122:13 159:6 | 90:15 96:3 98:13 | 125:23 126:18,19 |
| 172:8 206:11,13 | 218:14 | 98:16 100:16 | 139:15 146:1 |
| 206:15 208:6 | suggestions 64:10 | 103:11 105:15 | 147:2 149:21,24 |
| 210:24 211:22 | suicidal 20:13 | 108:2 114:19 | 150:2 151:12,18 |
| 212:14,20 213:10 | suicide 10:12,20 | 116:8 124:22 | 154:18 158:2,5 |
| 215:12 217:22 | 221:23,24 | 128:10 131:10,18 | 159:6 160:19,23 |
| 218:1,6,19 222:20 | suite 1:23 2:4,10 | 131:23 134:4 | 165:18,21 166:17 |
| 222:21 | summarizing | 138:10 139:6 | 168:18 169:2,4,11 |
| student's 9:15 | 150:11 | 141:4 153:2 | 169:18 170:4,12 |
| students 21:8 31:8 | summary 4:13,16 | 156:24 158:4 | 171:6,21 180:4,12 |
| 31:9,15,16 32:12 | 50:24 171:18 | 159:5,24 160:12 | 180:13,19 181:1,6 |
| 34:3 35:3,5,9,15 | 173:24 174:24 | 166:9,13 167:6,13 | 181:10,20 182:6 |
| 36:16,19 37:10 | 175:6 205:22 | 169:8 181:24 | 182:16,18,21 |
| 50:9 54:22 55:5 | supervision | 184:17 185:20 | 183:1 184:5,6,9 |
| 56:3 62:1 68:5,9 | 225:11 | 189:1 190:8 | 185:9 187:3 188:3 |
| 85:7 86:10 102:22 | supplying 148:8 | 193:11 199:2,5 | 188:4,11 189:22 |
| 112:13,23,24 | support 3:20 11:5 | 202:24 218:4 | 191:2 194:3 |
| 113:5,8,23 114:3 | 24:13 30:11,13 | 220:2 | 195:14 196:14,20 |
| 134:8 211:4,5 | 31:16 36:18 37:9 | surface 104:8 | 196:24 197:11 |
| 212:9,12 213:21 | 37:17 40:18 51:1 | | |

[synonyms - thinking]

Page 33

| | | | |
|----------------------------|----------------------------|--------------------------|---------------------------|
| synonyms 138:24 | taught 97:10 | 191:22 198:16 | think 7:5 15:11,12 |
| synopsis 18:1 29:8 | tbtn 40:8 | 204:13 207:12 | 16:5 24:11 27:12 |
| 30:8 | teacher 44:18 45:8 | 208:17 209:9 | 28:21 31:5 36:10 |
| | 45:18 | 225:5,9,14 229:9 | 37:2 38:2,14 |
| system 199:19 | team 21:2 26:7 | 229:18 | 40:14 42:5 45:9 |
| | technical 10:2 | tests 201:3 | 46:22 49:5 50:13 |
| t | technically 9:22 | text 25:3 | 52:13,14,23 58:21 |
| t 3:6 225:1,1 227:2 | 23:5 46:22 | thank 6:8,9 22:14 | 59:18,20 60:12,15 |
| tab 28:4,15,20 | teleconference 2:1 | 223:7,18 | 63:20 65:1,11 |
| 38:6 39:18 41:17 | tell 9:1 12:13 | theirs 15:21 | 66:9,20,21,22 67:2 |
| 45:21 51:19,20 | 14:15 24:23 31:1 | therapeutic 21:3 | 67:3,13,14,19 71:7 |
| 52:3 54:2 | 34:11 44:12 67:8 | therapist 9:17 | 74:17 75:12 76:5 |
| tailer 75:13 | 77:7 122:21,21 | 21:6 | 76:13,16 77:5 |
| take 3:14,16 8:3 | 123:16 138:5 | therapists 21:7 | 78:8,19 82:23 |
| 38:1,4 40:3,8,11 | 144:8,11 155:23 | therapy 20:9,11 | 85:24 88:16 91:4 |
| 41:4 42:3 65:18 | 159:11,12,15 | 145:4 | 94:7,10,24 95:14 |
| 65:24 72:1 75:4 | 170:23 172:3 | thereof 225:16 | 96:14,22 97:1 |
| 81:19 96:5 97:1 | 204:9 225:7 | theresa 1:19 | 98:1 102:6,16,19 |
| 110:9 114:14 | telling 19:11 65:10 | 225:23 | 105:2 107:9,13 |
| 119:14 130:11,14 | 65:13,15,22 66:10 | thing 8:2 19:13 | 110:7 112:9 |
| 205:16 219:23 | 66:22 67:11,15,16 | 64:21 68:12 89:20 | 113:24 119:16 |
| 220:8 | 121:18 144:16 | 93:14 139:3 | 127:19 129:9 |
| taken 1:16 60:21 | 190:24 | 167:11 198:8 | 130:6 156:23 |
| 110:12 181:3 | tells 64:8 179:4 | 215:10 | 157:13 159:23 |
| 220:11 225:5 | ten 11:16 21:1 | things 3:21 6:17 | 160:5 161:17,17 |
| takes 32:4 | 110:9 169:4,11 | 7:20 49:18 52:9 | 163:4,21 164:9 |
| talk 7:19 28:23 | 170:14 | 54:13 64:7 66:2 | 165:8,12 167:20 |
| 32:17 52:23 | tend 92:24 | 66:17 82:12,21 | 168:5 170:16 |
| 101:10 107:11 | term 10:2 36:22 | 89:24 92:24 94:16 | 171:5 172:18 |
| 155:7 203:3 | 62:17 210:18 | 109:13 144:13 | 175:5,9 177:7 |
| talked 34:14 | terms 52:20 53:2 | 153:21 155:15,23 | 179:22,23 180:2 |
| 108:14 182:12 | 58:13,19 65:24 | 155:24 156:5,17 | 183:12 185:16 |
| talking 24:10 | 103:24 139:3 | 157:7,10 158:7 | 192:10,20 194:14 |
| 27:17 33:19 39:6 | 144:16 150:8 | 159:2 160:11,16 | 195:4 197:2,10 |
| 42:18 45:11 85:18 | 155:5 | 161:3,11,13 167:7 | 198:7,17 202:14 |
| 86:17,20 92:5 | test 201:1 | 167:15 171:19 | 202:18 217:11 |
| 97:5,19 99:10 | testified 5:24 | 172:12,14 188:21 | 219:24 221:22 |
| 107:17 110:18 | 162:9 | 193:12 198:14 | 223:5 |
| 125:7 133:18 | testimony 7:9,16 | 201:3 202:11,12 | thinking 156:11 |
| 154:14 160:17 | 10:16 11:4 97:11 | 202:13,22 203:7,9 | 158:4 162:15 |
| 161:2 177:2 203:4 | 136:19 164:19 | | 163:22 164:9 |
| 207:8 | | | |

[thinking - transcription]

Page 34

| | | | |
|---------------------------|---------------------------|---------------------------|--------------------------|
| 172:4 | 133:18 134:8 | 27:17 47:20 84:4 | training 3:17,22 |
| thinks 68:16 123:8 | 135:21 148:17 | 223:19 | 25:17 26:2,17 |
| 177:19 | 151:7 155:11 | told 67:17 68:13 | 27:2 29:3,3,9,13 |
| third 11:3 41:12 | 156:14,20 167:16 | 123:6,21 138:6 | 29:21,23 30:3,8,9 |
| 42:5 47:4 180:3 | 172:4,19 174:16 | 144:3 178:1 | 30:17,20,23 31:2 |
| thirsty 176:8 | 181:23 182:16 | 191:15 197:8 | 32:1 33:2,11,13 |
| thirty 226:15 | 190:16 193:24 | 217:18 218:20 | 34:6,9,12,21 35:16 |
| thoroughly 53:21 | 195:2 196:7 | 219:1 | 35:20 37:20 38:22 |
| thought 63:17 | 203:22 205:4,6 | tool 190:15 | 46:7 47:2,14 51:7 |
| 67:16 79:6 111:23 | 206:21 207:21 | top 6:19 15:14 | 51:9,16 53:23 |
| 128:16 131:16 | 212:4,17,18 | 37:23 46:9 120:5 | 54:14,17 55:9 |
| 164:12 183:7 | 217:10 223:8,19 | 131:11 157:23 | 56:17,24 57:2 |
| 197:3 214:2 | 225:6 229:19 | 158:8,9 216:24 | 61:1 70:17,20 |
| 215:17 | timeframe 229:8 | topic 10:10 26:24 | 71:23 73:7 74:2,6 |
| thoughts 151:21 | timeline 114:24 | 27:3,20 28:1 36:9 | 74:12 75:8,24 |
| threatened 141:24 | times 6:11 9:4 | 36:11 37:6 39:12 | 76:1,15,17 79:1 |
| three 14:24 21:13 | 16:14,14 43:11 | 39:14,17 55:18 | 80:1 83:13 84:2,4 |
| 39:18 | 66:21 67:16 99:6 | 65:8 70:24 71:12 | 84:6,8 85:6,9,22 |
| threshold 181:9 | 99:7,12,15 115:13 | 71:13 72:11 73:8 | 86:4,12 91:24 |
| throw 209:20 | 130:4,4,7,14 | 106:3 111:16,18 | 97:9,16,23 98:17 |
| thrust 106:21 | 133:24 207:10 | 111:19,24 112:7 | 99:17,20 100:9,20 |
| tick 28:21 160:17 | 208:16 214:22 | 177:3 192:7 | 101:5 102:9,11,11 |
| ticked 170:11 | 217:3 | topics 26:8 27:23 | 102:13 105:22 |
| ticks 160:22 | timing 158:15 | 28:14 55:16 110:7 | 106:4,20 107:19 |
| time 6:23,23 7:21 | tired 197:6 | touch 182:1 | 108:2,24 109:11 |
| 22:17 27:17 29:12 | title 13:19 14:12 | tower 2:4 | 111:15 157:6 |
| 31:4,6 34:16 42:4 | 15:6 24:17 32:2,7 | track 131:19 | trainings 3:10 |
| 45:16 48:10 51:17 | 83:14 86:23 87:4 | 149:24 | 15:20 24:15 25:23 |
| 51:22 71:7,8 | 87:10 133:22 | tracking 154:18 | 26:11,23 27:19 |
| 74:19 76:23 82:15 | 134:2 135:14 | trademarked | 28:14,18 32:14,16 |
| 82:20,24 88:13,14 | 143:20 164:7 | 34:19 | 36:8 46:19 51:11 |
| 89:19 90:12,13 | 204:2 206:2 | trailing 106:11 | 53:17 56:17 71:20 |
| 91:1,18,20 92:15 | 209:23 210:8,10 | train 35:2,12 76:6 | 72:18 73:12 75:7 |
| 92:18 95:2 107:10 | 210:16 218:19 | 79:19,23 | 75:10 99:11 |
| 110:3,8,10 112:19 | 219:7 | trained 31:8,15 | transcribed |
| 115:6,10 116:7,9 | titled 3:11,19 4:4 | 32:5 36:16 55:7 | 225:11 |
| 116:21,24 117:16 | 38:18 54:10 70:10 | 55:13 78:22 81:7 | transcript 174:21 |
| 117:19,20 118:13 | 76:20 | 97:14,24 99:12,15 | 215:12,18 226:16 |
| 120:4 123:19 | titles 14:21 | 126:13 143:1 | 226:17 229:6,20 |
| 125:12,13,16 | today 6:10 7:9,13 | 147:24 148:9 | transcription |
| 126:4,7 127:10,15 | 8:21 9:13 11:8,10 | | 225:12 228:4 |

[transgender - understand]

Page 35

| | | | |
|--------------------------|---------------------------|---------------------------|--------------------------|
| transgender 30:12 | treat 20:12 53:3 | trying 7:17 9:10 | 93:14 118:1 |
| trauma 15:1 22:19 | 68:4,5 | 15:11 27:12 49:1 | 132:18 172:13 |
| 23:10 25:4,5,8 | treated 207:11,13 | 66:3,20 78:15 | types 32:16 94:15 |
| 34:1 58:1,6 59:1,7 | 208:4 | 79:23 87:15 | 157:4,10 170:8 |
| 59:19,23 60:14 | treating 118:14 | 129:15 130:18 | typical 32:17 |
| 81:8,11 83:2,5 | 128:14 129:20,21 | 139:21 140:17 | 112:23 116:9 |
| 84:23 86:6,17 | 131:7 132:7,10 | 143:20 156:6 | 119:11 156:12 |
| 91:13 92:18 93:3 | 134:8 145:5 | 159:8,15 160:14 | 179:16,22 180:2 |
| 93:3,18,19,21 94:5 | 200:19 | 161:12 211:11,18 | typically 62:21 |
| 94:8 96:1 101:11 | treatment 20:10 | tuned 158:7 | 91:19 93:24 96:18 |
| 101:16 104:10 | 20:15 67:6,21 | tuning 159:2 | 107:16 116:11 |
| 105:8,23 108:11 | 68:15,19,22 95:9 | turn 25:16 34:5 | 133:16 149:1 |
| 108:12 109:11,15 | 119:19 131:5 | 38:6 39:18 41:17 | 156:19,23 216:16 |
| 110:22 111:5,23 | 145:5 161:6 | 45:21 54:2 57:6,9 | u |
| 112:7 140:19 | 163:15 208:13 | 61:5 63:24 70:2 | uh 8:5,5,5 |
| 141:3 146:20 | triggering 90:10 | 73:24 81:5 91:8 | ulterior 69:15 |
| 158:13 166:8 | triggers 89:21 | 113:11 173:9 | ultimately 211:14 |
| 167:9 168:13,16 | tripped 88:16 | 205:7 | unable 94:19 |
| 179:24 181:20 | trouble 172:5,6 | turned 135:9,22 | 167:19 177:4 |
| 182:13,15,18,19 | troubling 59:2 | turning 139:19 | 178:13 200:4 |
| 182:20 183:1,8 | true 65:15,23 | two 7:20 9:11 10:5 | unaware 141:15 |
| 189:7,7,11,14,19 | 67:15 73:3 90:17 | 13:2 14:4 18:13 | uncomfortable |
| 196:17,23 202:7,9 | 93:2 105:1 106:10 | 19:6,22 20:16 | 35:1 44:1 161:10 |
| 203:8,11,11 214:1 | 106:13,16,17 | 21:13 30:6 36:1 | unconscious 140:1 |
| traumatic 58:1,2 | 107:15 108:19 | 38:6 51:20 52:4 | 141:1,17 |
| 92:7 97:21 104:5 | 144:19,20 172:16 | 72:1 75:22 76:7 | undergo 140:19 |
| 105:3,10,17 | 186:14 188:9,19 | 85:6 86:10 92:9 | undergrad 18:4 |
| 137:22 139:21,22 | 189:23,24 193:17 | 97:14 99:10,12,15 | undergraduate |
| 140:5 141:7 142:3 | 225:13 | 114:10,13 115:1 | 35:4 |
| 142:10 143:4,13 | trusted 61:24 | 115:13 117:17 | underlying 49:20 |
| 144:2 145:3,9,21 | trustees 4:5 70:12 | 119:3,12,14 | 56:5 208:12 |
| 145:24 146:2,10 | 70:18 71:3 72:17 | 148:24 170:6 | undermine 165:9 |
| 146:24 147:3,8 | truth 65:7,12,13 | 180:12 188:21 | understand 7:5,8 |
| 165:23 166:20,21 | 65:20 66:5 143:20 | 189:17,18 191:16 | 8:11,14 19:12 |
| 167:19 168:22 | 191:1 225:8,8,9 | 204:1 205:5 207:4 | 25:20 32:1 66:13 |
| 187:3,22 194:3 | truthful 67:10 | 210:19 216:5,24 | 67:11 74:2 94:18 |
| 196:14 197:23 | 88:11 94:1,22 | 217:15 | 128:2 129:16,23 |
| 201:13,24 202:2 | try 86:3 88:21 | type 7:20 43:11 | 139:22 140:18 |
| traumatized 86:14 | 157:20 166:14 | 47:11 52:12 58:1 | 152:10 160:15 |
| 94:21 97:8 167:4 | 218:6 | 58:2 62:2 63:9 | 161:4,13 164:20 |
| 196:22 197:7,9 | | 76:15 81:22,22 | 166:9 177:9 |

[understand - wanted]

Page 36

| | | | |
|--|---|--|--|
| 185:13 195:3 218:6 understandable 6:20 understandably 212:24 understanding 11:2 27:22 28:13 33:24 48:13 58:8 58:12 59:6,18 60:13 64:6 72:19 75:23 81:11 85:5 93:10 100:10 109:15 110:24 111:5 119:5 123:19 126:3 129:20 133:19 139:5 141:6 150:3 164:5,17 172:14 174:11 179:13 180:19 184:10,13 189:14 199:2 202:6 210:7 217:16 understandings 87:14 understood 8:17 26:5 88:10 111:23 113:24 131:6 132:17 148:5 163:5 216:9 undertake 53:20 unfamiliar 47:24 united 1:1 university 1:7 2:13,17,18 3:10 9:24 18:6 22:3,9 27:16 28:15,19 33:4 53:15,16 55:22 56:23 64:13 72:10,14,18 112:9 | 112:10 204:11 209:7 215:13 218:10 229:4 university's 36:5 unrelated 71:17 181:20 untruthful 96:10 unusual 6:10 160:21,23 unwanted 63:1 unwittingly 77:15 update 48:24 76:17 updated 52:1,19 76:11 84:2 updates 53:10 58:18 upper 56:3 upstairs 156:18 urgent 212:15 213:2 215:2 use 29:11 107:16 139:3 150:8 151:7 156:21 157:1 161:7 179:20 198:2 usually 36:20 37:7 47:1 90:12 107:8 107:14 119:14 149:16 157:1 161:1 utilize 127:2 | value 65:19 van 25:1 59:8,16 variable 179:24 variety 62:18 129:10 various 26:7 53:7 58:9 111:10 vary 62:14 venture 217:2 verbal 8:8 verbatim 174:21 verification 120:6 124:11 verify 229:9 veritext 1:22 229:14,23 veritext.com 229:15 version 53:5 92:11 137:7,10,12 144:23 versions 52:8 53:7 53:12 58:17 victim 84:18 96:1 101:15 107:11 108:5 victim's 107:21 victims 61:14 83:3 86:17 93:18 179:17 214:15 view 65:21 97:18 110:19,21 153:18 165:1 199:3 viewed 109:3 164:12 165:4 vigil 40:12,17 violate 207:2 violation 31:11 142:1 violence 57:16 59:19 60:14 | virginia 1:1,17 2:11 15:8 16:18 18:20 21:12 virtually 6:10 visible 126:18 visits 117:17 volition 67:20 voluntarily 67:5 voracity 69:9 vs 1:6 |
| w | | | w 16:19 21:23 w&l 3:12,19 4:4 22:17 26:2,18 38:18 54:11 68:6 70:11 72:6 134:9 220:21 221:9 222:7 wait 7:23 waive 5:11 walk 154:16 168:10 want 6:8 12:1 13:15 28:12,20 74:1 82:21 89:15 89:17 94:17 98:5 106:15 113:11 114:23 128:15,24 129:7,11,23 132:11,12 139:5 149:11 153:8 186:14,18 191:7 191:10,12 209:20 215:10 216:20 219:24 223:12,13 wanted 36:7 63:22 75:3 128:4 129:3 131:18,22 141:19 152:11 174:8 186:17 199:1 215:4,21 |
| v | | | |

[wanting - work]

Page 37

| | | | |
|---|--|---|---|
| wanting 176:7 | week 55:8 113:1 | 154:21 162:11 | 104:7 105:5 106:1 |
| washers 60:2 | weeks 36:1,1 | 163:10,21 164:24 | 107:23 108:7 |
| washington 1:7 2:13,17,18 9:11,15 9:16 10:6,23 13:14,20 16:13 17:3,17 30:9 37:1 40:20,22 56:19 71:16 78:12 112:15 117:19 133:24 229:4 | weigh 130:17,21 weighing 168:3 199:9 | 165:12 178:16 183:22 184:15 185:3 186:23 | 109:6,17 111:1 118:17 119:8 122:24 123:14,24 |
| way 7:1 12:19 24:18 25:9 30:16 32:13 36:13 40:19 52:24 58:14 63:16 63:21 77:14 88:7 92:18,23 93:4,4 94:3,6,9 103:22 108:13,22 118:24 125:10 129:19 135:6 138:4 139:11 140:13 150:1 153:11 158:20 162:15 166:12 168:3 171:22 183:2 189:20 191:13 197:20 198:4 199:14 200:16 201:9 219:3 | weight 165:1 weighted 164:13 weinstein 43:2 weird 88:24 welcome 223:21 west 2:4 western 1:1 when's 116:21 who've 179:24 202:9 213:21 willing 121:15 window 60:2,3 116:7,9 wisconsin 12:23 19:3,4 wish 193:13 withdrawn 211:15 witness 3:3 68:14 68:17 69:7,19,21 72:13,23 73:2,17 78:6 79:4 80:15 84:20 85:19 87:2 87:19 88:4,16 89:17 90:15 91:3 94:24 96:3,17 | 187:8 193:7,16 195:17 196:12 200:21 201:19 202:22 204:8,13 204:20,22 207:14 208:11 209:1,4,9 209:12,17,21,23 210:17,23 211:14 211:22 212:2,3 217:16,17,24 219:6 220:2,6 222:7,8 223:21,23 225:14,18 226:1 229:8,10,12,19 witnesses 210:2 wittingly 77:15 woman 44:5,8,9 women 39:11 42:17 43:3,8 45:12 48:9 61:11 61:14 62:23 63:13 87:6 | 124:14 127:13 128:6,18 129:2 130:2 131:11 138:18 140:11 141:10 143:6,23 145:17 146:14 148:12 149:4,13 154:20,22 162:8 163:9,20 164:23 165:11 178:15 183:21 184:14 185:2 186:4,22 187:7 192:21 193:6,15 194:5,11 195:5,16 200:20 201:18 202:21 207:16 217:23 220:7 229:1 |
| ways 51:24 110:18 142:2 155:9,20 156:12 170:6 202:15 we've 46:12 71:19 81:10 109:11,13 110:7 204:10 website 213:20 websites 49:3 wednesday 1:10 | 101:8,19 102:5 104:8 105:6 107:24 108:8 109:7,18 111:2 118:18 119:9 123:1,15 124:1,15 127:14 128:7,19 129:3 130:3 140:12 141:11 143:7,24 146:15 148:13 149:5,14 | 199:22 wood 2:9 5:18,18 11:15 68:24 69:6 69:18,20 72:12,22 73:1,15 78:5 79:3 80:13 82:16 84:19 85:14,18 87:1,18 88:3,15 89:16 90:14,21 91:2 94:23 96:2,16 101:7,18 102:4 | woods 2:8 word 63:8 82:8,9 161:7 179:20 209:21 217:17 worded 63:18 words 69:13 73:10 96:22 107:10 151:8 159:9 179:6 222:11,16 work 20:3,23 25:8 27:12 30:14 43:6 59:23 60:5 76:24 77:4,19 78:16 80:16 100:3 132:18 133:24 171:15 172:17 214:14 |

[worked - yesterday]

Page 38

| | |
|--|--|
| worked 12:12 19:2 19:6,21 20:17,20 43:4 211:5 217:4 | 90:15 96:23 98:5 98:10 115:23 120:21 122:12 |
| worker 17:17 | 128:19 130:18 |
| working 58:5 66:5 127:2 132:19 149:16 214:3 | 132:19 154:22 158:4 171:1 195:17 211:20 |
| works 27:13 32:3 61:21 112:10 | 218:16,20 year 3:16 10:17,21 |
| workshop 17:9 | 19:24 21:14 23:8 |
| worried 172:10 215:11 | 35:3,4,9 36:14 38:23 39:3 42:4 |
| wrapping 131:17 171:5 | 42:23 43:20 45:11 46:16 56:19 71:11 |
| write 7:18 126:11 126:11 | 204:15,16 209:10 years 10:4,19 |
| writes 25:7 | 12:11 19:6,10 |
| writing 63:16 142:24 | 21:13 36:24 37:2 37:21 39:1,2 |
| writings 58:24 | 40:21 46:15 48:11 |
| written 3:9 16:3 28:16 40:2 61:2 77:12 121:21 134:17 135:17 185:7,18 198:17 204:11 | 48:24 49:17 50:22 56:2,18 58:18 99:4 133:20 yep 19:1 29:24 46:8 223:6 |
| wrong 3:21 33:8 50:14 54:13 190:14 194:4,8 | yesterday 121:9 |
| wrongly 104:2 | |
| wrote 124:21,21 126:7,23 164:15 | |
| <hr/> | |
| x | |
| x 3:1,6 | |
| y | |
| y 18:8 | |
| yeah 17:8 19:9 31:19 56:10 65:5 69:11 76:13 80:18 82:7 84:10 89:18 | |

Rules of Supreme Court of Virginia

Part Four - Pretrial Procedures

Depositions and Production at Trial

Rule 4.5

(e) Submission to Witness; Changes; Signing.

When the testimony is fully transcribed, the deposition shall be submitted to the witness for examination and shall be read to or by him, unless such examination and reading are waived by the witness and by the parties. Any changes in form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness, unless the parties by stipulation waive the signing or the witness is ill or cannot be found or refuses to sign. If the deposition is not signed by the witness within 21 days of its submission to him, the officer shall sign it and state on the record the fact of the waiver or of the illness or absence of the witness or the fact of the refusal to sign together with the reason, if any, given therefor; and the deposition may then be used as fully as though signed unless on a motion

to suppress under Rule 4:7(d)(4) the court holds that the reasons given for the refusal to sign require rejection of the deposition in whole or in part.

DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE STATE RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

Veritext Legal Solutions complies with all federal and State regulations with respect to the provision of court reporting services, and maintains its neutrality and independence regardless of relationship or the financial outcome of any litigation. Veritext requires adherence to the foregoing professional and ethical standards from all of its subcontractors in their independent contractor agreements.

Inquiries about Veritext Legal Solutions' confidentiality and security policies and practices should be directed to Veritext's Client Services Associates indicated on the cover of this document or at www.veritext.com.